I will not discuss these matters extensively at this time, but believe it should be noted that in handling these huge quantities of stockpile materials, including those determined to be in surplus supply, the Congress must constantly keep in mind, not only the strategic and critical nature of these stockpiles but also the great need for orderly disposal of surplus materials to industry and commerce in such a manner as to protect the Government and the free market, avoid disruption of price levels and insure as best we can that the needs and well-being of our economy and our industries are served fairly and equitably under the conditions confronting us at any given time. Honesty, fairness, equity, and sound judgments are essential in these tasks.

Next week our committee will start hearings on S. 28, a bill introduced by our able, distinguished friend, Senator SYMINGTON, of Missouri, which has already passed the Senate.

This measure provides for sweeping changes in current disposal and housekeeping functions and procedures. It will be heard before the full House Armed Services Committee and many witnesses representing Government, industry, and business will present their testimony.

Let me assure you that our committee will receive and evaluate this testimony in a fair and impartial manner and will accord interested witnesses every opportunity to be heard, and then the committee will work its will, as it is required to do, in what it deems to be in the best interests of the Government, our defense, our national security, our economy, and our great free enterprise business institutions.

The Members of Congress are deeply interested, as you are, in securing the proper adjustment, implementation, and effective utilization of stockpile materials and I express the hope and the confidence that we will find appropriate solutions for the very complex, challenging problems inherent in this proposed stockpile legislation. We desire and will welcome your cooperation in this vital work.

We are facing a very critical and very difficult international crisis stemming from the aggression, infiltration, and revolutionary tactics of the Communist conspiracy which, according to Marxist time schedules, is moving toward world domination.

In the decisions we make, and the action we take, and the determination we show, to guard and protect our own precious liberties and fulfill our commitments to the cause of freedom throughout the world, much is at stake, because what we say and do in these troublous days, the firmness and resolution and purpose we demonstrate, will determine the whole course of history for many years to come, will determine the fate of small helpless nations, yes, could well determine the destiny of our own great, free Nation.

I know that in these struggles for freedom and, we pray, enduring peace, you and your group will do your full part and that Americans of every class, race, creed, and station in life will unite behind the national leadership with patience, resolution, and unflagging determination to defend our great heritage of liberty, democracy, and justice from all those who seek to overpower and destroy us.

Not only with great strength of arms will our cause prevail, but with strength of the spirit, with continued devotion and loyalty to the fundamental principles of human liberty and the rights of the individual and our interest and purpose to strive for peace, for humanity, for justice, for all peoples, and all nations. Prevail we must and prevail we will.

Let me thank you all for your great kindness to me. I hope in the future to be worthy of your support and confidence and to be privileged to serve you and all our people in the interests of our great beloved free country.

Thank you very much.

Ed Knebel

EXTENSION OF REMARKS
OF
HON. J. J. PICKLE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 20, 1965

Mr. PICKLE. Mr. Speaker, Mr. Ed Knebel was "Mr. Baseball" to everyone in Austin, Tex. His recent passing was a source of great sadness to every sports fan in central Texas. No one has ever done more for baseball—and young people—than the loved and respected and gentle Ed Knebel. We shall miss him greatly.

He was the founder and president of Seven-Up Bottling Co. and the father of professional baseball in Austin. Knebel began playing baseball when he was 12. Sixty years later he became the first person installed in Austin's baseball hall of fame, when Milwaukee Braves President John McHale presented him with a gold baseball glove.

During World War I, while serving in the artillery, he saved enough money to open a cleaning and pressing business in France. From his earnings in this business he purchased the Nu-Icy and NuGrape franchises in Austin in 1927. His present Seven-Up company was opened in 1935.

Knebel's continuous athletic activity earned him the title of Mr. Baseball. When the old city league folded, he continued to play his Seven-Up teams against teams out of Austin. He helped form the Big State League in 1947, and was instrumental in getting the $200,000 Disch Field. In 1962 he gave Disch Field to the city.

I think every man, in his life, wants to feel he might have made some singular contribution to the welfare of humanity. Ed Knebel's primary contribution was his 100 percent devotion to baseball and to the young men of his community. He lived and worked constantly to encourage young boys to play sports and to live wholesome lives. Tens of thousands of young men have been helped through his dedication, and our city and Nation is a much better place because of Ed Knebel who led the good life of productive service to others.

SENATE

TUESDAY, SEPTEMBER 21, 1965

(Legislative day of Monday, September 20, 1965)

The Senate met at 12 o'clock noon, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O merciful God, whose law is truth and whose statutes standing forever break those who break them. We beseech Thee to grant unto us who at noontide seek Thy face, fervently to desire, wisely to apprehend, and obediently to fulfill the mandates of Thy will as it is made known to us.

We pause now for Thy benediction before turning to waiting tasks, grateful for a rich and enriching heritage worth living for and dying for and for a deathless cause that no weapon that has been formed can defeat.

Grant unto Thy ministers here in the Temple of Public Service that rising above any selfish partisan loyalties they may be given tallness of stature to see above the walls of prideful opinions the good of the largest number. And in these perplexing times that try men's souls and test their character, may Thy strength sustain us, may Thy grace preserve us, may Thy wisdom instruct us, may Thy might protect us and Thy hand direct us this day and evermore.

In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. TALMADGE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 20, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 664. An act to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes;

S. 906. An act to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes;

S. 1190. An act to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska;

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource;

S. 1764. An act to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; and

S. 1988. An act to provide for the conveyance of certain real property of the United States to the State of Maryland.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1395. An act for the relief of Irene McCafferty;

H.R. 2694. An act for the relief of John Allen;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 3062. An act for the relief of Son Chung Ja;

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts;

H.R. 4596. An act for the relief of Myra Knowles Snelling;

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force;

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5902. An act for the relief of Cecil Graham;

H.R. 5903. An act for the relief of William C. Page;

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes;

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss;

H.R. 8212. An act for the relief of Kent A. Herath; and

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Committee on the District of Columbia and the Subcommittee on Fiscal Affairs of that committee be permitted to meet during the session of the Senate today.

Mr. KUCHEL. Reserving the right to object, has that been cleared with the minority leader?

Mr. SPARKMAN. I have been told it has been cleared on both sides.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hearing none, it is so ordered.

On the request of Mr. SPARKMAN, and by unanimous consent, the Subcommittee on Refugees and Escapees of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. TALMADGE, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on Labor and Public Welfare, with an amendment:

H.R. 7743. An act to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools (Rept. No. 758).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2126. A bill for the relief of Sook Ja Kim, Ai Ja Kim, and Min Ja Kim (Rept. No. 759);

H.R. 1274. An act for the relief of Mrs. Michiko Miyazaki Williams (Rept. No. 760);

H.R. 2358. An act for the relief of Tony Boone (Rept. No. 761); and

H.R. 2772. An act for the relief of Ksenija Popovic (Rept. No. 762).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

S. 2548. A bill to amend title 18 of the United States Code so as to prohibit the transmission of certain matter which defames or reflects injuriously upon racial or religious groups; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE (for himself and Mr. McCARTHY):

S. 2549. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. PELL:

S. 2550. A bill to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

PROHIBITION OF TRANSMISSION OF CERTAIN DEFAMATORY MAIL MATTER

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to prohibit the mailing of matter on envelopes and postcards that defames racial, religious, or ethnic groups. This bill is intended to plug an unfortunate gap in the present postal laws. These laws presently prohibit the mailing of defamatory, scurrilous, and libelous material, but only when it relates to identifiable individuals. As a result, one can put the most outrageous statements or stickers on an envelope or post card and send them through the mails. It is an unhappy commentary on our society that legislation is needed to discourage this.

This bill stems from a letter I received from a Pennsylvanian, who complained that he had received a business reply card on which some misguided individual affixed the sticker stating, "Communism is Jewish." The man wrote to me asking if this was legal. I asked the Post Office Department. It replied that, unfortunately, it was legal. The postal laws simply do not prohibit defaming an entire race, religion, or ethnic group.

I am sure that people often wonder what good it does to write to their Senator or Congressman. This bill is evidence that it is worthwhile. I was unaware of this gap in the postal laws until Mr. Louis F. Soffer, of Philadelphia, wrote to me with the complaint about the defamatory sticker he had received in the mail. I am grateful to Mr. Soffer for doing this.

The particular sticker that he complained of—"Communism is Jewish"—also bears some mention in light of the events of this past week. This week Jews from all over the Nation are coming to Washington to protest the deprivation of religious liberties to the Jews in the Soviet Union. The Jewish people for 2,000 years have been the object of attempts to destroy their faith and traditions, by kings, by the Fascists, and by the Communists. The plight of the Jews in the Soviet Union points up the idiocy of this sticker campaign.

But the problem is larger than this single sticker. The United States mail should not be a tool of intolerance. I fear that this particular sticker is only one of many campaigns by fanatics and bigots to abuse religious groups, ethnic groups and races, and to fan the fires of intolerance.

I urge Congress to give this bill its prompt consideration, and ask that it lie on the table for 5 days for cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Pennsylvania.

The bill (S. 2548) to amend title 18 of the United States Code so as to prohibit the transmission of certain matter which defames or reflects injuriously upon racial or religious groups, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

THE HIGHER EDUCATION SCHOLARSHIP ACT OF 1965

Mr. PELL. Mr. President, the 88th Congress has often been referred to as the education Congress and its record is a source of some pride to those of us

who worked for the passage of the several bills finally enacted.

This Congress is intent on improving upon that record. I offer for introduction the Higher Education Scholarship Act of 1965. Basically, this bill is an across-the-board act to give scholarship assistance for 2 years to every student who has, or will be, accepted by an institution of higher education. It would provide up to $1,000 for each of the 2 years to be applied toward tuition, fees and books. The definition of institution is broadened to include accredited private business, trade, technical, or vocational schools, much as did the old GI bill.

We all recognize the impact on this Nation's growth and well-being of the development of our school system, which has provided opportunity for education for all at the elementary and secondary school level. I see no particular reason to limit this opportunity for all to the completion of secondary school, and offer this legislation as a logical extension of the effort of our Nation to develop the talents of all our children.

There are, moreover, very real and tangible benefits in terms of national wealth. The blunt reality of the situation is that the college graduate pays more income taxes. A high school graduate in 1961 had an estimated lifetime income of $272,629. A person with from 1 to 3 years of college had an estimated lifetime income of $333,581; and, if he had completed 4 or more years of college, his lifetime income would be $452,518. Thus, this investment of $2,000 or less would, in 1961 terms, be the catalyst that will yield a return of over $50,000 of taxable income in one case, and $180,000 in another—if the student went on and completed his education. To my mind, this is one of the best investments we can make, even if we look at it only from the financial point of view; I am certain that we all recognize that the intangible benefits are of even greater importance in terms of the quality of life that is afforded by higher education as well as the means of productively enjoying the increasing amounts of leisure available to us.

Finally, I have an abiding sympathy for the average student. Not everyone can earn high academic marks. The true mark of the man is not necessarily his academic achievement; it may very well be his demonstrated achievements later in life. The average student should have his equal opportunity, also, to reach a higher level often denied him for lack of funds. If we get him started on his way we will be providing that opportunity.

I ask, Mr. President, that this bill be appropriately referred, and that its text be printed in full in the RECORD at the conclusion of these remarks.

Mr. President, I would also like included in the RECORD, a statement made by Mr. Albert J. Hoban, vice chairman of the board of trustees for the University of Rhode Island. Mr. Hoban, with that rare vision that characterizes the exceptional educator, is advocating essentially the same program on a State level—the extension of our system of free, universal public education to include 2 years of college.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 2550) to extend the well established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Higher Education Scholarship Act of 1965".

SEC. 2. The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is hereby authorized, in the manner hereinafter in this Act provided, to award scholarships to undergraduate students to enable them to pursue their courses of study for not more than two academic years or its equivalent at institutions of higher education.

SEC. 3. The total amount paid to any student awarded a scholarship under this Act shall be based upon the aggregate amount of his costs for tuition, course fees, and books during any academic year or its equivalent, as defined in the regulations of the Commissioner, but in no event shall the amount paid to such student exceed $1,000 for such academic year or its equivalent.

SEC. 4. A student awarded a scholarship under this Act shall continue to be entitled to payments only if the Commissioner finds that such student (1) is maintaining good standing in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution which he is attending, (2) devotes essentially full time to such course of study, during the academic year or its equivalent, in attendance at an institution of higher education, except that failure to be in attendance at an institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines, in accordance with regulations, that there is good cause for his nonattendance (during which periods such student shall receive no payments), shall not be deemed contrary to this clause, and (3) is using payments under such scholarship only for costs of tuition, course fees, and books necessary to pursue his course of study. In no event shall any student receive payments for in excess of two complete academic years or its equivalent.

SEC. 5. In order to carry out the policy of sections 3 and 4, the Commissioner may (1) award a scholarship during any academic year or its equivalent in such installments as he may deem appropriate and (2) provide for such adjustment of scholarship payments under this Act as may be necessary, including, where appropriate, total withholding of payments.

SEC. 6. (a) An individual shall be eligible to compete in any State for a scholarship under this Act if he (1) is living in the State or, if not living in any State, is domiciled in such State; (2) makes application at the time and in the manner prescribed by the State commission; and (3)(A) is enrolled fulltime in any course of undergraduate study at an institution of higher education or (B) is attending a public secondary school in, or a private secondary school accredited by, any State. The State commission established under, or designated pursuant to, section 7(a) may, in accordance with regulations of the Commissioner, for good cause waive or modify the requirements of clause (3)(B).

(b) From among those competing in any State for scholarships for any academic year or its equivalent, the State commission shall, in accordance with the provisions of the State plan approved under section 7 select persons who are to be awarded such scholarships and determine the amounts to be paid to them. Within the amounts appropriated for scholarships under this Act, the Commissioner shall award a scholarship to a person so selected, and in the amount so determined, if—

(1) the State commission certifies that such person (A) has received a certificate of graduation, based on completion of the twelfth grade, from any public secondary school in, or any private secondary school accredited by, a State, or (B) in the case of an individual who has not received such a certificate, is determined by such State commission to have attained a level of advancement generally accepted as constituting the equivalent of that required for graduation from secondary schools accredited by such State; and

(2) such person has become enrolled for a course of undergraduate study in an institution of higher education or, in the case of a student already attending such an institution, is in good standing and in full-time attendance there as an undergraduate student.

In the event the total amount of all such scholarships to be awarded pursuant to this subsection for any fiscal year exceeds the amounts appropriated for such scholarships for such fiscal year, the Commissioner shall proportionately reduce the amount of each such scholarship to the extent necessary so that the amounts so appropriated are sufficient to contribute toward all such scholarships.

(c) In awarding scholarships under this Act, the Commissioner shall endeavor, by advice and consultation with State commissions and institutions of higher education, to promote an equitable distribution of scholarships among the States.

SEC. 7. (a) Any State desiring to participate in the scholarship program under this Act may do so by establishing a State commission on scholarships broadly representative of secondary schools and institutions of higher education, and of the public, in the State, or designating an existing State agency with equivalent representation to serve as the State commission on scholarships, and by submitting, through such commission, a State plan for carrying out the purposes of this Act which is approved by the Commissioner under this section. The Commissioner shall approve any such plan which—

(1) is designed to carry out the intent of this Act;

(2) provides for certification to the Commissioner of—

(A) individuals selected pursuant to the State plan for scholarships and the amounts thereof, and

(B) the amounts of payments under their scholarships to individuals previously awarded such scholarships;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under subsection (b); and

(4) provides for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this Act.

(b) The Commissioner shall pay to each State such amounts as the Commissioner determines to be necessary for the proper and efficient administration of the State plan (including reimbursement to the State for expenses which the Commissioner determines were necessary for the preparation of the State plan) approved under this Act. There are hereby authorized to be appropriated such sums as may be necessary to make such payments.

(c) No school or institution of any agency of the United States shall be eligible to receive any payment under this Act.

SEC. 8. An individual awarded a scholarship under this Act may attend any institution of higher education which admits him.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 10. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

SEC. 11. In administering this Act, the Commissoner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary or the head thereof, and to pay therefor, in advance or by way of reimbursement as may be provided in the agreement.

SEC. 12. Payments under this Act to any institution of higher education, State commission, or Federal agency may be made in installments and in advance or by way of reimbursement.

SEC. 13 As used in this Act—

(a)(1) The term "institution of higher education" means an educational institution, whether or not such an institution is a nonprofit institution, which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, and (4) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of this subsection, such term includes any private business or trade school or technical or vocational institution which meets the provisions of clauses (1), (2), and (4), except that if the Commissioner determines there is no nationally recognized accrediting agency or association qualified to accredit any category of such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions as meeting this definition and shall also determine whether particular institutions meet such standards.

(2) For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "secondary school" means a school which provides secondary education, as determined under State law or, if such school is not in any State, as determined by the Commissioners except that it does not include any education provided beyond grade 12.

(c) The term "State" includes, in addition to the several States, the District of Columbia, the Canal Zone, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

The statement presented by Mr. PELL is as follows:

STATEMENT OF ALBERT J. HOBAN

At first glance the proposed increases in tuition fees at the University of Rhode Island and at Rhode Island College appear small. At present, for example, students at the University of Rhode Island pay a fee of $250. Some members of the board would raise this fee to $300. However, when books and other costs are added, the commuting student spends about $700 for a year at the University of Rhode Island. Under the proposal he will pay approximately $750. The cost to the student who lives on campus will go from about $1,600 to $1,650.

When the board meets in September I intend to offer a counterproposal to reduce fees by $50 at each of our three institutions for the freshman and sophomore years and to continue such reductions for the next several years until all fees are eliminated for the first 2 years of college.

I oppose the proposal before the board because it is a departure from a fundamental principle of public higher education, the support of public education by the community as a whole. In raising tuitions the board would move toward a situation in which the student and his parents pay the cost of higher education. I would move in the other direction toward the gradual elimination of all fees, toward a goal of providing 2 years of college for all qualified young men and women free of charge, duplicating what our forefathers did under similar circumstances when they provided for 4 years of high school.

I am convinced that it is essential to the welfare of the people of Rhode Island that every young person be educated to his full potential irrespective of his ability to pay. To a certain extent we owe our youth this opportunity as members of society. Just as important however, is the fact that these young people represent an asset of our State and we owe ourselves the obligation of investing our tax dollars where they will do the most good. Rhode Island has many assets which should be developed through the expenditure of public money: We should encourage the expansion of credit to promote business enterprise. We should develop Narragansett Bay; we should build highways and bridges and beautify our public lands. But Rhode Island's greatest assets are not in bank vaults, not in Narragansett Bay, not in roads and bridges and public lands. Right now our greatest assets are sitting at desks in the grade schools of our cities and towns. What we do about the development of these boys and girls will determine the condition of Rhode Island in 1985.

More and more the leaders of other States, the leaders of our Nation, and the leaders of other nations have come to recognize that the strength or weakness of society 20 years from now will depend upon the education of its members. In 1985 the adult with a college degree will correspond to the adult with a high school education today. The State that has the highest percentage of adults with only high school diplomas will be the State with the highest percentage of unemployment, the greatest number of people on its welfare rolls and the most limited sources of tax revenue. The State with the most college graduates will have the smallest drain on its unemployment funds, and the fewest people on relief. Its college graduates will pay more taxes because they will have a superior ability to earn money and during their lives they will pay back to the State many times what it cost to educate them.

This system has worked at the high school level and it will work at the college level. All the arguments made against free public higher education today are only echos of similar arguments made 50 years ago against free public high school education. Our fathers and grandfathers faced the same difficult decision that we face. They were not rich and they didn't like paying taxes any more than we do but they believed that there was no better investment than education. It turned out to be one of the wisest decisions ever made by a self-governing people. It has made us the strongest and most prosperous Nation on earth. If, because we are uninformed or through selfishness or lack of courage, we ignore their experience we jeopardize the future of Rhode Island.

What I advocate is not novel. Most leaders in the field of education agree with me in principle. Many of them are fighting to maintain the principle. Some States are already ahead of Rhode Island, furnishing public education beyond the high school level free of charge. These States shall reap the rewards of their foresight.

I suggested to the board of trustees informally that this proposal for increasing fees should be discussed at a special meeting of the board, open to the public. I stated that if this were not done I would feel free to bring the matter up for public debate. This is what I am doing. I hope that by the time the board meets in September a majority will subscribe to my view that an informed public in this State will support 2 years of free higher education. I urge all media of communications to seek expressions of opinion from the Governor and the legislative leaders who vote upon the expenditure of public money, from parents and teachers and from all who have an interest in public education and the future of Rhode Island.

ALBERT J. HOBAN,
Vice Chairman.

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. PELL. Mr. President, on behalf of the senior Senator from Connecticut [Mr. DODD], I ask unanimous consent that the name of Mr. KENNEDY, the junior Senator from Massachusetts, be added to the list of cosponsors of Senate Concurrent Resolution 59 for the purpose of establishing a Select Joint Committee To Study East-West Trade, at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and joint resolution:

Authority of September 13, 1965:

S. 2520. A bill to authorize the Secretary of Housing and Urban Development to make loans for the provision of urgently needed nursing homes: Mr. LONG of Missouri and Mrs. NEUBERGER.

Authority of September 14, 1965:

S. 2532. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes: Mr. ANDERSON, Mr. BARTLETT, Mr. BREWSTER, Mr. CARLSON, Mr. CLARK, Mr.

FONG, Mr. INOUYE, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. MCGOVERN, Mr. MCNAMARA, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH.

Authority of September 10, 1965:

S.J. Res. 110. Joint resolution to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week: Mr. ALLOTT, Mr. BIBLE, Mr. CARLSON, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. HART, Mr. HRUSKA, Mr. JORDAN of Idaho, Mr. LAUSCHE, Mr. MOSS, Mr. PEARSON, Mr. RANDOLPH, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SCOTT, Mr. SIMPSON, and Mr. THURMOND.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Joseph V. Conley, of Rhode Island, to be U.S. marshal, district of Rhode Island, term of 4 years (reappointment).

Victor L. Wogan, Jr., of Louisiana, to be U.S. marshal, eastern district of Louisiana, term of 4 years (reappointment).

William Medford, of North Carolina, to be U.S. attorney, western district of North Carolina, term of 4 years (reappointment).

William H. Murdock, of North Carolina, to be U.S. attorney, middle district of North Carolina, term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 28, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

POPULATION: PUBLIC HEARING SCHEDULED WEDNESDAY, SEPTEMBER 22 AT 10 A.M. IN ROOM 3302, NEW SENATE OFFICE BUILDING

Mr. GRUENING. Mr. President, tomorrow morning the Government Operations Subcommittee on Foreign Aid Expenditures will hold its 15th public hearing on S. 1676, a bill to coordinate and disseminate birth control information upon request. The bill would also authorize the President to hold a White House Conference on Population.

The public hearings will start at 10 a.m. in room 3302, New Senate Office Building.

Scheduled to testify are:

First. Our able colleague, the junior Senator from West Virginia [Mr. BYRD], a cosponsor of S. 1676.

Second. The director of the population program of the Ford Foundation, Dr. Oscar Harkavy.

Third. The vice president of the Population Council, Dr. Bernard Berelson, who with Dr. Harkavy will discuss the First International Conference on Family Planning Programs held in Geneva, Switzerland, August 23 through August 27.

Fourth. The vice president of the United Nations Second World Population Conference held in Belgrade, Yugoslavia, August 30 to September 10, Dr. Irene Taeuber, who will comment on the significance of the conference. Dr. Taeuber is senior research demographer for the Princeton University Office of Population Research.

Fifth. The inventor of an intrauterine contraceptive device, the Lippes loop, Dr. Jack Lippes, obstetrician and gynecologist, Buffalo, N.Y., General Hospital and associate professor of obstetrics and gynecology at the medical school, State University of New York, Buffalo. Dr. Lippes will discuss the Lippes loop.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 21, 1965, he presented to the President of the United States the following enrolled bills:

S. 402. An act for the relief of Oh Wha Ja (Penny Korleen Doughty);

S. 618. An act for the relief of Nora Isabella Samuelli;

S. 1198. An act for the relief of the estate of Harley Brewer, deceased; and

S. 1390. An act for the relief of Rocky River Co. and Macy Land Corp.

AMERICAN FOREIGN POLICY IN THE DOMINICAN REPUBLIC

Mr. CLARK. Mr. President, on Saturday, September 18, in the highly respected daily newspaper, the Christian Science Monitor, appeared an editorial entitled "The Fulbright Speech," which I ask to have printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE FULBRIGHT SPEECH

It will be a great pity if Senator FULBRIGHT's Senate speech on the handling of the Dominican crisis leads simply to a fierce public argument about the past. As he himself says, analysis of the past is useful only if it helps to avoid mistakes in the future.

There is validity in Mr. FULBRIGHT's charges of initial "overtimidity" and subsequent "overreaction." But he is careful to say that his assessments are made with the advantage of hindsight. Yet even if one concedes that there were mistakes during those early weeks of the upheaval, we believe that the U.S. Government has since done a good job in trying to pick up the pieces which it perhaps helped to shatter—albeit involuntarily.

Only the first wobbly steps have been made toward normalcy in Santo Domingo. But Ambassador Ellsworth Bunker, tireless and resourceful, would never have been able to encourage those steps if he had not had Washington's backing. It has been a little bit like Macmillan furiously repairing the damage done by Eden at Suez, protesting all the time that no damage had been done. But over the Dominican Republic, the Macmillan and Eden roles are combined in one man—and he wears a Texas hat.

As we have already said, however, we think that what is important now is to eschew the same kind of mistake in the future. Senator FULBRIGHT uttered a few home truths, among them:

"The movement of the future in Latin America is social revolution and the choice which the Latin Americans make will depend in part on how the United States uses its great influence.

"Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning, the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt oligarchies of the hemisphere.

"It should be very clear that the choice is not between social revolution and conservative oligarchy; but whether, by supporting reform, we bolster the popular non-Communist left or whether, by supporting unpopular oligarchies, we drive the rising generation of educated and patriotic young Latin Americans to an embittered and hostile form of communism like that of Fidel Castro."

Admittedly all this is easier to preach than to practice. To begin with, effective communication has to be established with that rising generation—and their confidence won. Their language will differ from ours in many ways. But most of them want for themselves what we have won and want—and the overwhelming majority of them would still prefer not to turn outside the American hemisphere or to alien tyrannies to try to get it.

Mr. CLARK. Mr. President, the editorial makes a point which both the chairman of the Foreign Relations Committee and I, as well as other Senators, have been endeavoring to make for some time, that the important matter with respect to our policy in the Dominican Republic, which some of us think has been mistaken, is not what happened in the past, but what should happen in the future.

In this regard, I should hope very much that the attitude of those in the State Department responsible for our Latin-American policy who have become more friendly to democratic nations which are endeavoring to carry out the principles of the Alliance for Progress will be encouraged. This, to me, is of the greatest importance, and is emphasized by a column entitled "A Losing Struggle in Latin America," which appeared in this morning's Washington Post, by the highly respected columnist, Marquis Childs.

Mr. Childs points out that poverty is increasing, not decreasing, in Latin America; that the population problem is becoming worse and not better; and that the hope of saving those nations for freedom and democracy depends, to a very large extent, on the friendly basis on which we in the United States of America advance the cause of free, liberal democratic nations in that portion of the world.

I ask unanimous consent that the Marquis Childs column from today's Washington Post be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LOSING STRUGGLE IN LATIN AMERICA

(By Marquis Childs)

The rich lands are getting richer and the poor lands are getting poorer. That is the harsh reality that cannot be concealed by any amount of wishful talk put out by administration spokesmen.

This applies with special force to Latin America, since the Alliance for Progress was to reverse the trend in this hemisphere. In country after country the gnawing ache of

poverty, hunger, and the revolution of rising demands bring unrest and disorder. It is no answer, as Senator J. WILLIAM FULBRIGHT noted in his speech on the Dominican crisis, to put this down to the machinations of a handful of Communists. Communism will always try to exploit indigenous disorders.

A recent statement that got too little attention underwrites the reality about Latin America. Felipe Herrera, president of the Inter-American Development Bank, a Chilean with wide banking experience, in discussing the prospect of a common market for Latin America, made some personal observations about the present state of affairs. He said:

"The positive efforts undertaken internally by the Latin American countries, especially since the establishment of the Alliance for Progress, to accelerate development and to achieve the necessary reforms in their economic and social structures have not yet substantially altered the current situation in Latin America. Two out of three inhabitants of the region still suffer from chronic malnutrition, per capita agricultural output is lower today than it was 30 years ago and two out of every five adults are illiterate.

"It is not surprising therefore that tensions of every sort are rising as a product of the interacting processes of inflation, substandard social conditions, urban pressures created by the mass movement of the rural population to the cities, frustration in the middle class and unrest in the countryside. This inevitably has forced governments to take emergency action on a stopgap basis and has made it difficult to undertake long-term programs on a regional level."

The prospect in the near future is therefore for more explosions like that in the Dominican Republic. Herrera's statement confirms this reporter's findings in a recent tour of South America. It belies the convenient explanation of State Department spokesmen such as Under Secretary Thomas C. Mann who tends to see the unrest in terms of a Communist plot that can be suppressed by force.

Herrera pointed to a recent statement by President George Woods of the World Bank. Addressing the developed countries of the West, Woods said that the "present level of financing (for the underdeveloped countries) is wholly inadequate."

Since 1961 the long-term public capital supplied by the developed countries struggling to get going has held at about the same level. This has been true even though the gross national product of the industrialized countries has increased during this period at a rate of 4 to 5 percent a year. Conequently, Herrera oberved, the net official assistance from the industrialized countries represents a declining percentage of their national income.

For the underdeveloped countries this level of aid has meant a decreasing amount in per capita terms because of the population explosion. This is the simple arithmetic demonstrating that the rich are getting richer while the poor get poorer.

In spite of a steadily increasing population, as Hererra noted, per capita income increased by over 2.5 percent in 1964 which was the goal set by the Charter of Punta del Este in 1961. The same increase is in prospect for 1965. This was part of the optimism expressed by Assistant Secretary for Inter-American Affairs Jack Hood Vaughn on his recent tour of the Americas.

The 2.5 percent gain is from such a low base—about $200 a year in many countries—that it is meaningless. Vaughn rightfully said that the Alliance is doing many splendid things. It is pointing the way to the changes essential if the desperately poor nations to the south are to move forward and begin the kind of economic integration that can mean real progress.

But it is the limited scale on which these changes have begun to take place that cannot be concealed by optimistic talk. For what the facts show, as a responsible banker has now suggested, is the need for a new and far broader dimension for the Alliance.

A book President Johnson is said to have read and reread is Barbara Ward's "The Rich Nations and the Poor Nations." It may be that a new edition, "Richer Nation and Poorer Nations" is due.

WHAT GOES ON IN THE SKY?

Mr. CLARK. Mr. President, one of the most controversial matters now before this country is whether the decision by the President to authorize the Air Force to construct a military observation laboratory in outer space was or was not wise. In that connection, I ask unanimous consent that what I consider to be an excellent editorial, written by Norman Cousins in the Saturday Review of September 11, 1965, entitled "What Goes On in the Sky?" be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT GOES ON IN THE SKY?

On various occasions during the past year, President Lyndon B. Johnson has stressed the importance of continuity in U.S. foreign policy. One aspect of that continuity is now in question. We refer to the policy of President Dwight D. Eisenhower and President John F. Kennedy on the need to avoid a nightmarish danger of colossal dimensions to the American people and the world's peoples in general. This danger arose the moment man discovered he was able to liberate himself from earth's gravity and go cruising in space. For this development meant that space stations could become the orbiting carriers of atomic weapons, putting the entire planet under the nuclear gun.

President Eisenhower was the first to warn of this Orwellian horror. He spoke of the very real possibility of accident or miscalculation that could trigger an unspeakable holocaust. And even without accident or miscalculation, weapons in orbit would convert the sky into a grim canopy. Prime Minister Harold Macmillan fully supported President Eisenhower's declaration against nuclear weapons in space.

On coming to office, President Kennedy gave high priority to the need for effective agreements aimed at preventing military spacecraft from occupying outer space. Both through the United Nations and through direct negotiations with Premier Nikita Khrushchev, President Kennedy persisted with his effort to insure that space would be reserved for peaceful purposes. As a result, both the United States and the Soviet Union issued declarations of intent against military operations in space. The United Nations, on October 17, 1963, endorsed this action and called upon all other nations to be bound by it. Though the potential military use of rockets was inherent in the development of space technology, neither country crossed the line into military ventures. In fact, the space program in the United States had been deliberately put under civilian control, just as President Truman years earlier successfully fought to keep atomic energy development in nonmilitary hands. To be sure, the U.S. Air Force had been pressing for a prominent role in space development, but Presidents Eisenhower and Kennedy held to their contention that outer space should be out of bounds to the military.

The continuity of this policy has now been broken. On August 25, 1965, President Johnson announced he had authorized the Air Force to proceed with its plans for a Manned Orbiting Laboratory. While it was emphasized that the MOL would not be armed with nuclear firepower, the MOL nevertheless represents a specific military use of space vehicles. As such, it is a step toward the direct extension of the arms race into outer space.

What makes the matter all the more inexplicable is that no one has stated the case against military activity in space more cogently than President Johnson himself—in the very act of making the announcement about MOL. He did not make clear beyond a reasonable doubt, however, why the MOL and also the involvement of the Air Force do not run counter to the United Nations resolution signed by the United States, or the policy of Presidents Eisenhower and Kennedy, or his own statement about the importance of preventing the extension of military technology into space.

If the principal opposing argument here is that the MOL will be unarmed, this may meet a technicality, but it does not meet the problem created by the fact that the door is now open to a long line of new developments in the field of orbiting laboratories. In past negotiations for arms limitation and control, the United States has properly emphasized the need for adequate inspection. Yet we have now taken the initiative in a field where inspection is most improbable and virtually impossible. For the Russians, inevitably, will now send up MOLs of their own, and there will be no way of knowing whether these spacecraft will be secretly armed with nuclear gun mounts. The very existence of such a possibility is certain to produce a clamor in the United States for armed space vehicles of our own. And the stage will be set for other nations to join the horror, cluttering up the sky with death-disseminating vehicles and blocking out man's vision of a rational world in which to live out his life with reasonable faith in the sanity and decency of his fellow man.

We pride ourselves on being an educated nation. But we have not yet learned the most fundamental lesson of the atomic age. This is the lesson that our safety and security no longer depend on the accumulation, multiplication, or refinement of force, but on the control of force. For the force cannot be used without destroying security, shattering freedom, and making a weird farce of claims for human uniqueness, human intelligence, human nobility. What will it profit us in the last instant of recorded time to know that we stood supreme among all the nations of the world in the variety, multiplicity, efficiency, and sophistication of the force that figured in the final holocaust? Inherent in our history are higher distinctions. The time in which to put those distinctions fully to work grows short.

DANGER SIGNAL—AMERICAN FAMILIES SAVING LESS, BORROWING MORE

Mr. PROXMIRE. Mr. President, few economic commentators have noticed it, but there has been an interesting change in spending and saving habits by the American people in recent months that may have considerable significance for our economy.

For years economic experts appearing before the Joint Economic Committee have asserted that Americans are inclined to save between 7 and 8 percent of their income. They save a little more in good times, especially in war times when goods are scarce and saving is vigorously promoted as patriotic and somewhat less in depression times when

incomes are low and more is needed to meet firm obligations and necessities.

There has been a recent, dramatic change in this pattern, in part because the statistics have been modified. But also allowing for the statistical change there has been a distinct diminution, a fall off in the savings of Americans in recent months.

Now, Mr. President, this is a phenomenon because the present times cannot by any stretch of the imagination be considered depression times. In fact we have never had anything like the prosperity that has come to this Nation this year.

Last year was a great year for the American economy. This year appears to be far better. Just this morning I received a copy of the "Economic Indicators" for September—the latest statistical report on our economic progress, and it is mighty good reading. In the second quarter gross national product smashed all records, business and professional income, rental income, dividend income, corporate profits, wages—all continued to leap ahead. Unemployment continues at the lowest level in years. It is still much too high for teenagers, minority groups, and unskilled. But for married men it is down to 2.6 percent. Average hourly earnings have jumped to $2.60 and weekly earnings to more than $106 in manufacturing industries.

And yet the American people are saving less and substantially less of their income.

There are many possible explanations for this phenomenon, more confidence in the ability of the Federal Government to keep the economy moving, greater reliance on social security, medicare, etc. for the future, more efficient promotion of automobiles, appliances and other income absorbing expenditure.

At any rate this changing pattern should significantly alter expectations and forecasts for our economic future.

One other significant economic statistical development is the sharp jump in the proportion of income the American people are pouring into interest. This is directly related to the phenomenal growth in installment credit—the time buying of everything from vacations and furniture to automobiles and clothing. The increase is really spectacular. In fact today interest as a proportion of income is almost exactly twice what it was in 1950.

Both of these developments—the reduced tendency of the American people to save in a period of prosperity and the soaring expenditure for interest could be danger signals. The last time the propensity to save dropped sharply in a relative prosperity period was in the late twenties. The sharply increased expenditure for interest demonstrates how extended millions of American families have become in borrowing to buy, and how susceptible they could be to an interruption of their income because of a recession.

George Shea of the Wall Street Journal deals thoughtfully and perceptively with these developments in a column in yesterday's Wall Street Journal. I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Trends in consumer spending and saving have taken on a sharply changed appearance as a result of revisions made by the Government in its statistics on gross national production and associated items. The net of the change is that personal saving appears to have been declining in recent years as a proportion of spendable income, whereas previously it appeared to be holding nearly steady.

As explained here on a previous occasion, the revisions are of two different kinds, statistical and definitional. The statistical ones are merely improvements based on more detailed and more exact figures. The definitional changes result from decisions by the Government's statisticians to treat some items in the national economic accounts differently from the way they were handled before.

In the case of the consumer spending figures, an important definitional change is in the handling of interest paid by consumers. It used to be put elsewhere in the Nation's economic accounts, but now it's handled as an expenditure in the same manner as consumer outlays on goods and services. That is, it's deducted from consumers' spendable income in calculating personal saving. Spendable income is technically called personal disposable income and is roughly defined as personal income minus personal taxes.

The change in treatment is important, because the interest figure is large. In 1964 it amounted to $10 billion, or 2.3 percent of disposable income. Also, it has grown over the years at a little faster rate than has disposable income. In 1955 it was 1.7 percent of disposable income and in 1950 only 1.2 percent.

The deduction of interest payments from income in arriving at saving figures would naturally be expected to reduce the percentage saved, and that is what has happened. Instead of remaining between 7 and 8 percent of disposable income, as the previous arrangement of the figures resulted, personal saving over the past 10 years and more has held between roughly 5 and 7 percent of income.

In addition, the fact that the relative size of consumer interest payments has grown would be expected to cause a downtrend in the percent saved, unless other consumer outlays diminished correspondingly. That, too, is what has happened. Whereas the former figures showed an almost level trend (with rare 1-year deviations) in the proportion saved starting about 1951 and going through 1964, the new figures show a distinct downward trend.

In the 3 years 1951–53, the percent saved didn't fall below 7.2 percent. In the 5 years 1954–58, the highest proportion for any year was 7 percent. Since then the highest rate for any year has been 6 percent. In the first two quarters of this year, furthermore, the proportions were down to 5.3 and 5 percent, respectively.

This downtrend, however, isn't solely the result of including interest payments among the consumer outlays deducted. On the contrary, the Government, in announcing the new figures, says flatly that the main cause of the downtrend in the new figures as opposed to the old is statistical:

"The year-to-year changes based on the new series," it says, "are quite similar to those based on the prior series, but the longer term movement is different. The previously published series show only a minor downdrift from the peak rates reached in the fifties. The revised series show a reduction in the saving rate during the fifties and continuing into the sixties. * * * The change in the trend of the saving ratio is the result of statistical revisions. Definitional changes have reduced the saving ratio * * * but have had no significant effect on its trend."

What the meaning of this downtrend in the saving ratio may be is a question that must be approached in the light of past trends. Unfortunately, trustworthy figures on the ratio are available only back to 1929, and during much of the time since then conditions have been abnormal, being marked by war in the early 1940's and 1950's, and depression in the 1930's.

These two factors have affected the ratio in unmistakable fashion. War has expanded the saving rate hugely, and depression has reduced it sharply. In 4 years of World War II the saving ratio climbed to or above 20 percent.

The reasons are clear. A large part of the population was in the Armed Forces and could do very little consumer spending. Even more important, civilian production was restricted to make room for war production, and there was little in the way of goods on which consumers could spend their incomes.

The causes of reduced saving in depressions are equally clear. Widespread unemployment held many incomes down to or below subsistence levels. In 2 years of the depressed 1930's expenditures were larger than disposable income and the saving figure was a minus. In the two best business years of the period, 1936 and 1937, the saving rates were 5.4 and 5.3 percent respectively. Some of the postwar years also show reduced saving rates associated with business recessions.

In addition, 2 years in the late 1940's show relatively low saving rates, presumably because consumers were splurging on the goods which for the first time were becoming available after the long war years. And 1950, the year of Korean war-scare buying, also showed a saving rate of only 6.3 percent, compared with 7.2 percent or more in 1951–53 when consumer buying was again restricted by war though not as severely as in World War II.

What, then, can be the explanation of the low saving rates of the 1960's? There certainly isn't any depression or recession to squeeze down incomes. On the contrary, personal income has been growing. But consumption has been growing faster.

Perhaps this trend merely reflects confidence in the outlook resulting from a series of good years with rising employment and incomes. However, it also suggests that a reversal could come at any time; and certainly there can't be any hope of much further rise in the consumption rate and reduction in the saving rate. Indeed, the steady relative increase in the amount of interest seems likely to encroach on spending for goods and services. Possibly the fact that the saving rate in 1929, just before the depression of the 1930's, was only 5 percent is significant.—GEORGE SHEA.

AMENDMENT OF TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 684, S. 1826.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1826) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, on page 1, after line 9, to strike out:

(2) by striking out the last sentence thereof.

On page 2, after line 6, to insert a new section, as follows:

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

At the beginning of line 17, to change the section number from "3" to "4"; and, at the beginning of line 22, to change the section number from "4" to "5"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended—

(1) by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or"; and

SEC. 2. Section 503(a) of such Act (22 U.S.C. 1643b(a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

SEC. 4. Section 506 of such Act (22 U.S.C. 1643e) is amended by striking out ": *Provided,* That the deduction of such amounts shall not be construed as divesting the Jnited States of any rights against the Government of Cuba for the amounts so deducted".

SEC. 5. Section 511 of such Act (22 U.S.C. 1643j) is amended to read as follows:

"Appropriations

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

The amendments were agreed to.

Mr. SMATHERS. Mr. President, first of all I congratulate the very able and distinguished Senator from Alabama [Mr. SPARKMAN], a ranking member of the Foreign Relations Committee, as well as the members of the Foreign Relations Committee for reporting favorably S. 1826, introduced by me early in the year to make certain practical amendments to the Cuban claims provisions of the International Claims Settlement Act.

This measure provides for the adjudication of claims against the Government of Cuba by American citizens at a time when fixed liability can be assessed.

I have read the report of the Foreign Relations Committee on my proposal and certainly agree fully with its contents.

There is one specific section of the report to which I would like to call particular attention and that relates to its comments with respect to "blocked assets."

The committee indicated its judgment that the Treasury Department should unblock certain property situated in the United States, owed to or held in the name of certain defunct Cuban corporations which are substantially owned by U.S. citizens and residents. I certainly concur fully with the committee's conclusion that the Treasury Department should without delay unblock the property described in the committee hearings and report. Unless such action is taken these assets owned by citizens and residents of the United States could be utilized to pay the claim of another U.S. citizen when the liability to pay these claims justly rests with the Government of Cuba.

Passage of this measure, I feel, will make a substantial contribution toward asserting American citizens' claims against the Cuban Government when it is hoped that the present Communist-dominated government will be overthown in the not too distant future and Cuba once again becomes a partner in the free world.

I sincerely trust that the measure will receive the wholehearted support of my colleagues here in the Senate.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HART subsequently said: Mr. President, I ask unanimous consent that the Senate reconsider the engrossment, third reading, and passage of S. 1826.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HART. Mr. President, I send to the desk an amendment and ask that it be stated.

The LEGISLATIVE CLERK. An amendment is proposed by the Senator from Michigan [Mr. HART] as follows:

On the first page, beginning with the word "amended" in line 4, strike out through line 9 and insert in lieu thereof the following: "amended by striking out 'which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or'."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 2. Section 503(a) of such Act (22 U.S.C. 1643b (a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

SEC. 4. Section 506 of such Act (22 U.S.C. 1643(e)) is amended by striking out ": *Provided,* That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted".

SEC. 5. Section 511 of such Act (22 U.S.C. 1643j) is amended to read as follows:

"APPROPRIATIONS

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

Mr. SPARKMAN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 701), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The purpose of S. 1826, as amended by the Committee on Foreign Relations, is to amend and rewrite certain provisions of title V of the International Claims Settlement Act of 1949, relating to claims against Cuba, which was approved by the Congress last year. An explanation of the provisions of the bill is set forth below.

PROVISIONS OF THE BILL

Sections 1 and 2 of S. 1826 amend sections 501 and 503(a) of title V of the International Claims Settlement Act of 1949 by striking out the clauses in those sections which provide for the determination by the Foreign Claims Settlement Commission of claims against the Government of Cuba for merchandise and services furnished by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered.

The committee agreed to delete this language because there may be claims by U.S. citizens against the Government of Cuba which date back many years. These claims are not related to the nationalization or confiscation of American-owned property in Cuba by the Castro government on or after

January 1, 1959. In this connection, however, the committee expects that valid claims by U.S. citizens against the Government of Cuba or any entity expropriated by Cuba that existed prior to January 1, 1959, and are within the statute of limitations and in accord with principles of international law will be given consideration by the Foreign Claims Settlement Commission. It is believed that the provision of section 503(a) which authorizes the Commission to determine claims in accordance with applicable substantive law, including international law, is broad enough to include claims which accrued in the years immediately preceding January 1, 1959, the day on which the present Cuban Government came into power, and which are legally valid under principles of international law. It should be added, the committee is of the view that any debt claim not barred under Cuban law on January 1, 1959, should be considered by the Foreign Claims Settlement Commission as a claim arising on or after January 1, 1959.

Section 3 of the bill amends section 506 of the International Claims Settlement Act of 1949 by striking out the proviso.

The Senate Foreign Relations Committee last year reported a bill (H.R. 12259) with a proviso inserted in section 506 as follows (later accepted by the House):

"SEC. 506. In determining the amount of any claim, the Commission shall deduct all amounts the claimant has received from any source on account of the same loss or losses: *Provided*, That the deduction of such amount shall not be construed as divesting the United States of any rights against the government of Cuba for the amounts so deducted."

The accompanying language of the committee report indicated that this proviso clause may have been intended to prevent both double recovery by claimant (i.e., from both a tax benefit and possible payment on a claim) as well as diminution of the total U.S. claim against Cuba by the amount of any tax benefits related to the Cuban losses.

The House version of section 506 last year, and this year by amendment in H.R. 9336, is similar to a provision in the Czech claims title of the International Claims Settlement Act, and is intended to maximize the use of a claims fund by reducing claims by amounts the claimants had actually received on account of the same loss from other sources, such as insurance. This language, even with the addition of the Senate proviso, technically did not apply to any tax benefits available from such losses (because tax benefits are not an amount received), and was not interpreted to apply to tax benefits by the Foreign Claims Settlement Commission under the Czech claims program.

A review of the applicable Internal Revenue Code provisions and previous practice under the International Claims Settlement Act indicates that the proviso in section 506 is unnecessary and undesirable. The Internal Revenue Code presents double recovery by imposing a tax on any compensation received by a claimant to the extent he has previously derived a tax benefit from the loss. The Treasury has previously indicated that additional language is unnecessary in connection with the wording of title III of the International Claims Settlement Act (see Conference Rept. No. 1475 to accompany H.R. 6382, 84th Cong., 1st sess., 1955). Furthermore, the proviso is unnecessary to protect the total claim of the United States since there is nothing in international law, the Internal Revenue Code, or previous practice under the International Claims Settlement Act that would increase or reduce the total U.S. claim against Cuba by the amount of the writeoff allowed under U.S. tax legislation. Similarly, the amount of the private claim against Cuba by the persons suffering the loss is not diminished by reason of the fact that the deduction of the loss resulted in a savings in income tax.

U.S. Government claims against Cuba are not governed by title V of the International Claims Settlement Act of 1949, and will be handled separately from the U.S. private claims to be adjudicated under this legislation.

Section 4 of the bill amends section 511 of the International Claims Settlement Act to read as follows:

"APPROPRIATIONS

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

Section 511 presently provides for the vesting and sale of certain Cuban assets in the United States and the use of the proceeds thereof, to the extent necessary, to reimburse the U.S. Government for the expenses of the Foreign Claims Settlement Commission and the Department of the Treasury in processing claims against Cuba.

In agreeing to the proposed amendment to section 511, the committee was persuaded by the following argument advanced by the Department of State: "* * * it is the Department's view that the vesting and sale of Cuban property could set an unfortunate example for countries less dedicated than the United States to the preservation of property rights. The Government of the United States, as a matter of policy, encourages the investment of American capital overseas and endeavors to protect such investments against nationalization, expropriations, intervention, and taking. To vest and sell Cuban assets could, therefore, be counterproductive. It would place the Government of the United States in the position of doing what Castro has done. It could cause other governments to question the sincerity of the U.S. Government in insisting upon respect for property rights. The result could be a reduction, in an immeasurable but real degree, of one of the protections enjoyed by American-owned property around the world. Should this protection be diminished, the task of economic development to which the United States is devoting a great part of its strength and resources could become more difficult because of an attendant decrease in such investment."

In other words, the sale of the Cuban assets in question would weaken the principle of international law regarding the sanctity of property and would be contrary to the traditional policies and practices of the U.S. Government. It should be added that section 511, as amended by S. 1826, will not have any adverse effect on American claimants.

COMMITTEE AMENDMENTS

S. 1826, as approved by the committee, contains two amendments.

First, paragraph (2) of section 1 of the bill is deleted. The purpose of this paragraph was to strike out the last sentence of section 501 of the International Claims Settlement Act of 1949, which provides that the enactment of legislation relating to Cuban claims shall not be construed as authorizing an appropriation or as any intention to authorize an appropriation for the purpose of paying claims of American nationals against the Government of Cuba. This language was intentionally added by the Committee on Foreign Relations when it approved the Cuban claims bill (H.R. 12259) last year to make it abundantly clear that at no time in the future does it (the Committee on Foreign Relations) expect to authorize an appropriation of Federal funds to pay any claims of U.S. nationals against the Government of Cuba. As the committee stated in its report:

"The payment of such claims is not the responsibility of the U.S. Government. On the contrary, it is the responsibility of the Cuban Government, and under no circumstances should the American taxpayer be required to foot the bill for the payment of any part of these claims. It was with the specific understanding that the Commitee on Foreign Relations decided to report H.R. 12259, which provides only for the receipt and determination by the Foreign Claims Settlement Commission of the amount and validity of claims of U.S. nationals against the Government of Cuba." (See S. Rept. No. 1521, 88th Cong., 2d sess.)

The second amendment approved by the committee was suggested by the Department of State to prevent any ambiguity as to the kinds of creditor claims covered by title V of the International Claims Settlement Act of 1949. The amendment, which was added as a new sentence at the end of section 505(a), provides as follows:

"A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

The purpose of this provision is to make clear that the Foreign Claims Settlement Commission does not have jurisdiction to consider claims over American nationals arising out of debts or other obligations for merchandise sold or services rendered to any corporation, association, or other entity organized under the laws of the United States or of any State, District of Columbia, or the Commonwealth of Puerto Rico whose property was taken by the Government of Cuba provided, however, that the debt or obligation is not a charge on property taken by the Government of Cuba. It is not intended to exclude claims of banks, insurance companies, financial institutions, or other corporations, associations, or legal entities based upon the taking of assets in Cuba including assets in the form of debts or other obligations. Nor is it the purpose to exclude claims of those whose accounts in Cuban banks were nationalized, expropriated, intervened, or otherwise taken by the Government of Cuba.

BLOCKED ASSETS

During the course of the committee's consideration of S. 1826, a memorandum was received (see pp. 88–90 of subcommittee hearings on international claims) indicating that the Treasury Department is continuing to block as Cuban assets certain property situated in the United States nominally owed to or held in the name of certain defunct Cuban corporations which are substantially owned by U.S. citizens and residents.

It was suggested that S. 1826 be amended specifically to direct the Treasury to unblock American-owned property of this type. However, in response to an inquiry, the Treasury Department indicated that it was prepared to unblock these funds if it had an expression of opinion from Congress that funds of this character should be unblocked.

Accordingly, the Committee on Foreign Relations recommends that upon application the Department of the Treasury examine with particular care each case involving Cuban assets beneficially owned by American citizens to determine whether those assets should continue to be blocked. In the committee's view, if the assets are wholly or substantially owned by citizens and residents of the United States they should be unblocked, since it is possible that such assets may be placed in a fund at some future date and used to pay the claims of American citizens against the Cuban Government. This would be tantamount to using the property of one U.S. citizen to pay the claim of another U.S. citizen.

COMMITTEE ACTION

The Subcommittee on Claims Legislation of the Committee on Foreign Relations held a public hearing on S. 1826 on August 5, 1965, at which time Mr. Andreas F. Lowenfeld, Deputy Legal Adviser, Department of State, testified in support of the bill. The subcommittee also received testimony from Mr. Kenneth B. Sprague, vice president, American & Foreign Power Co., Inc., who testified in support of an amendment dealing with creditor claims. No witness appeared in opposition to the bill.

The Committee on Foreign Relations considered S. 1826 in executive session on August 10, 1965, and ordered it favorably reported to the Senate.

REVISION OF EXISTING BAIL PRACTICES IN COURTS OF THE UNITED STATES

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 735, Senate bill 1357.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1357) to revise existing bail practices in courts of the United States, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Bail Reform Act of 1965".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) Present Federal bail practices are repugnant to the spirit of the Constitution and dilute the basic tenets that a person is presumed innocent until proven guilty by a court of law and that justice should be equal and accessible to all;

(2) Persons reasonably expected to appear at future proceedings should not be deprived of their liberty solely because of their financial inability to post bail;

(3) Respect for law and order is diminished when the attainment of pretrial liberty depends solely upon the financial status of an accused;

(4) Bail practices which rely primarily on financial consideration inevitably disadvantage persons and families of limited means;

(5) The high costs of unnecessary detention impose a severe financial burden on the taxpayers and deplete public funds which could be better used for other public purposes;

(6) Family and community ties, a job, residence in the community, and the absence of a substantial criminal record, are factors more likely to assure the appearance of a person than the posting of bail; and

(7) Accused persons should not be unnecessarily detained and subjected to the influence of persons convicted of crimes and the effects of jail life; nor should their families suffer needless public derision and loss of support.

(b) The purpose of this Act is to revise the practices relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

AMENDMENTS TO CHAPTER 207 OF TITLE 18, UNITED STATES CODE

SEC. 3. (a) Chapter 207 of title 18, United States Code, is amended by striking out section 3146 and inserting in lieu thereof the following new sections:

"§ 3146. Release in noncapital cases prior to trial

"(a) Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

"(1) place the person in the custody of a designated person or organization agreeing to supervise him;

"(2) place the person under the supervision of a probation officer;

"(3) place restrictions on the travel, association, or place of abode of the person during the period of release;

"(4) require the person to return to custody after daylight hours on designated conditions;

"(5) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;

"(6) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

"(7) impose any other condition deemed reasonably necessary to assure appearance as required.

"(b) In determining which conditions of release will reasonably assure appearance, the judicial officer shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

"(c) A judicial officer authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

"(d) A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the conditions reviewed by the judicial officer who imposed them. Unless the conditions of release are amended and the person is thereupon released, the judicial officer shall set forth in writing the reasons for requiring the conditions imposed. A person who is ordered released on condition numbered (4) of subsection (a) shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the condition of release is amended, the judicial officer shall set forth in writing the reasons for requiring the condition. In the event that the judicial officer who imposed conditions of release is not available, any other judicial officer in the district may review such conditions.

"(e) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release: *Provided,* That, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on condition number (4) of subsection (a), the provisions of subsection (d) shall apply.

"(f) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

"(g) Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

"§ 3147. Appeal from conditions of release

"(a) A person who is detained, or whose release on condition number (4) of section 3146(a) is continued, after review of his application pursuant to section 3146(d) or section 3146(e) by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which he is charged or a judge of a United States court of appeals or a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which he is charged to amend the order. Said motion shall be determined promptly.

"(b) In any case in which a person is detained after (1) a court denies a motion under subsection (a) to amend an order imposing conditions of release, or (2) conditions of release have been imposed or amended by a judge of the court having original jurisdiction over the offense charged, an appeal may be taken to the court having appellate jurisdiction over such court. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, the court may remand the case for a further hearing, or may, with or without additional evidence, order the person released pursuant to section 3146(a). The appeal shall be determined promptly.

"§ 3148. Release in capital cases or after conviction

"A person (1) who is charged with an offense punishable by death, or (2) who has been convicted of an offense and is either waiting sentence or has filed an appeal or a petition for a writ of certiorari, shall be treated in accordance with the provisions of section 3146 unless the court or judge has reason to believe that no one or more conditions of release will reasonably assure that the person will not flee or pose a danger to any other person or to the community. If such a risk of flight or danger is believed to exist, or if it appears that an appeal is frivolous or taken for delay, the person may be ordered detained. The provisions of section 3147 shall not apply to persons described in this section: *Provided,* That other rights to judicial review of conditions or release or orders of detention shall not be affected.

"§ 3149. Release of material witnesses

"If it appears by affidavit that the testimony of a person is material in any criminal proceeding, and if it is shown that it may become impracticable to secure his presence by subpena, a judicial officer shall impose conditions of release pursuant to section 3146. No material witness shall be detained because of inability to comply with any condition of release if the testimony of such witness can adequately be secured by deposition, and further detention is not

necessary to prevent a failure of justice. Release may be delayed for a reasonable period of time until the deposition of the witness can be taken pursuant to the Federal Rules of Criminal Procedure.

"§ 3150. Violation of conditions of release

"Whoever, having been released pursuant to this chapter, willfully fails to appear before any court or judicial officer as required, shall, subject to the provisions of the Federal Rules of Criminal Procedure, incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, or while awaiting sentence or pending appeal or certiorari after conviction of any offense, be fined not more than $5,000 or imprisoned not more than five years, or both, or (2) if he was released in connection with a charge of misdemeanor, be fined not more than the maximum provided for such misdemeanor or imprisoned for not more than one year, or both, or (3) if he was released for appearance as a material witness, shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

"§ 3151. Contempt

"Nothing in this chapter shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

"§ 3152. Definitions

"As used in sections 3146–3150 of this chapter—

"(1) The term 'judicial officer' means, unless otherwise indicated, any person authorized pursuant to section 3041 of this title, or the Federal Rules of Criminal Procedure, to release a person for trial or sentencing or pending appeal in a court of the United States, and any judge of the District of Columbia Court of General Sessions; and

"(2) The term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

(b) The analysis of chapter 207 of title 18, United States Code, is amended by striking out the last item and inserting in lieu thereof the following:

"3146. Release in noncapital cases prior to trial.
"3147. Appeal from conditions of release.
"3148. Release in capital cases or after conviction.
"3149. Release of material witnesses.
"3150. Violation of conditions of release.
"3151. Contempt.
"3152. Definitions."

CREDIT FOR TIME SPENT IN CUSTODY

SEC. 4. The first paragraph of section 3568 of title 18, United States Code, is amended to read as follows:

"The sentence of imprisonment of any person convicted of an offense shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of such sentence. Any such person shall be given credit toward service of his sentence for any days spent in custody in connection with the offense for which sentence was imposed, and, in the case of any person convicted of an offense who is required to pay a fine, there shall be deducted from the amount of such fine a sum equal to the wages for an eight-hour workday at the Federal minimum wage multiplied by the number of days that such person spent in custody prior to his conviction, and pending certiorari or appeal with respect thereto, for the offense for which such fine was imposed: *Provided*, That no such credit shall be given if the judge, in imposing such person's sentence of imprisonment or fine, takes into consideration the number of days such person has spent in custody in connection with the offense for which such sentence or fine is imposed, and so records in his judgment. As used in this section, the term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

TECHNICAL AMENDMENTS

SEC. 5. (a) The first sentence of section 3041 of title 18, United States Code, is amended by striking out "or bailed" and inserting in lieu thereof "or released as provided in chapter 207 of this title".

(b) Section 3141 of such title is amended by striking out all that follows "offenders," and inserting in lieu thereof the following: "but only a court of the United States having original jurisdiction in criminal cases, or a justice or judge thereof, may admit to bail or otherwise release a person charged with an offense punishable by death."

(c) Section 3142 of such title is amended by striking out "and admitted to bail" and inserting in lieu thereof "who is released on the execution of an appearance bail bond with one or more sureties".

(d) Section 3143 of such title is amended by striking out "admitted to bail" and inserting in lieu thereof "released on the execution of an appearance bail bond with one or more sureties".

(e) (1) The heading to chapter 207 of such title is amended by striking out "BAIL" and inserting in lieu thereof "RELEASE".

(2) The table of contents to part II of such title is amended by striking out "207. Bail" and inserting in lieu thereof "207. Release".

Mr. ERVIN. Mr. President, S. 1357, the bail reform measure we are considering, has the broad support of almost every individual and group concerned with the administration of criminal justice in Federal courts.

It has been cosponsored by 21 Senators, including all but two of the members of the Judiciary Committee. In addition, a number of these Senators have made statements in support of the bill, which are included in the records of the hearings on the bill held in August 1964, and June 1965, by the Subcommittees on Constitutional Rights and Improvements in Judicial Machinery, under the chairmanship of Senator JOSEPH D. TYDINGS.

The Department of Justice has carefully studied S. 1357 and its effect on bail procedures in Federal district courts and in the District of Columbia, and has fully approved the measure and recommended its passage. In addition, virtually every individual and group who testified on the bill, or submitted statements for the record, enthusiastically supported the bill. Included among these supporters are the Judicial Conference Committee on the Administration of Criminal Law, Federal and State law enforcement officials, noted judges of both Federal and State courts and a number of law professors who are expert in the area of bail and criminal justice. The only objection to the measure came from professional bail bondsmen.

I can therefore report, Mr. President, that S. 1357, the Bail Reform Act of 1965, has the widespread and enthusiastic support of virtually everyone who has considered the problem, and I strongly urge its passage.

Mr. MONDALE. Mr. President, I am pleased to lend my support to the passage of S. 1357, a bill to reform Federal bail practices in the United States. As former attorney general of the State of Minnesota, where I served for 4 years, I know full well the problems raised by a bail system which places a premium on whether or not the defendant is rich or poor.

Existing Federal law on the subject of bail is very clear. Bail is intended only to insure the defendant's appearance at his trial. It may not be used to confine accused persons, since they are presumed to be innocent, in order to prevent further criminal acts—or to protect witnesses or evidence—or to punish persons accused of crime.

Under present law, we say that the accused may be at liberty prior to his trial so that he might prepare his defense—but only if he can post financial assurance that he will be present for that trial. In effect, we are placing our greatest reliance upon the accident of financial resources, rather than the accused's character or his community ties. This reliance is misplaced. The Manhattan bail project, sponsored by the Vera Foundation in New York, found some time ago that only 1 percent of those released without posting bail failed to appear for trial. The defendants there were released if they had roots in their community, if they were working, supporting their families, and in general such a good risk that financial bond was not required. The bail forfeiture rate, in contrast, is estimated to be about 2½ percent. This legislation declares that if we can find other means to provide reasonable assurance that a defendant will appear for trial we must use them rather than requiring the posting of bail.

The damage we do to our concept of equal justice under law by this practice is great. We disadvantage persons of limited means—and not those who are well-to-do. We handicap them in preparing their defense. We prevent them from locating witnesses, or consulting their lawyer in privacy. The defendant often loses his job—and loses income to support his family and pay for his defense. In addition, the accused and his family suffer what may be a needless stigma from the fact of his imprisonment for an extended period of time.

We rob the accused of the means and resources to defend himself—and as well place a heavy burden upon the resources of the taxpayer. The costs of keeping persons in jail are high. The cost of providing welfare relief for his family are high. The cost of providing public defense for him are high.

But worst of all, the cost to our system of administration of justice is excessive. To insist that the man who has $100 can go free while the man who does not must remain in prison places an unfair burden on the poor. It makes poverty a punishable offense and continues the scourge of the debtor's prison. If we really want "equal justice under law" then this legislation must be passed. I am confident that it will pass, and will support it.

Mr. TYDINGS. Mr. President, emblazoned on American courthouse pediments and inscribed in American judicial opinions we read again and again the proud affirmation, "equal justice under

law." I doubt you will find anyone in public life, anyone at bench or bar, anyone at all, who does not honor that inspired ideal. But the plain truth is that under our present bail system we do not have equal justice under law. Equality under our bail system is a cherished myth, not a living reality—the poor have been getting a poorer brand of justice than the rich. The bill before us, S. 1357, revises pretrial release procedures and bail practices in the Federal courts in order to eliminate the unjust discrimination against the poor that our present system fosters.

The legitimate purpose of bail is to guarantee the presence of the accused at his trial. The existing bail system attempts to effectuate this guarantee primarily by conditioning pretrial release on the deposit of a secured bond. But experience has shown, Mr. President, that an accused's financial ability or inability to post a money bond is largely unrelated to the likelihood that he will appear either at trial or at some other future judicial proceeding. Yet every year, thousands of such persons languish in our jails for weeks and even months, because they cannot afford to pay for their freedom. The number of people who cannot afford even low bail is surprisingly large. The tragic truth is that many of our citizens, simply because they are too poor to afford bail, needlessly suffer the humiliation of extended imprisonment even though they are later acquitted of the crime with which they have been charged, and despite the fact that other measures short of imprisonment might well have been sufficient to give reasonable assurance that they will be present at trial.

But more than unnecessary humiliation is involved. Counsel for an indigent defendent held in jail is severely hampered in his preparation for trial. He is able to consult with his client only infrequently, inconveniently, and often under adverse conditions. He is deprived of his client's assistance in locating and interviewing witnesses and in obtaining evidence. Such a defendant, according to studies made by several witnesses who testified at our subcommittee hearings, is less likely to escape indictment, less likely to plead successfully a lesser offense or lesser degree of the offense, less likely to receive a suspended sentence, and more likely to serve a long sentence. Poverty, it seems, can be a punishable crime. Such "unequal justice under law" quietly but firmly reproaches our claims of equality.

Our present bail system threatens the house of justice still further by undermining one of its most important foundations—the presumption of innocence. Thousands of citizens presumed to be innocent now languish in jail not because they are poor risks so far as appearance at trial is concerned, but simply because they are poor. In almost every jurisdiction they are treated no differently than convicted criminals. In Maryland's Montgomery County, in a recent year, nearly 30 percent of jail inmates were persons awaiting grand jury action or trial. They had not been proven guilty, but they waited in jail for from 3 to 6 months. In Pennsylvania, not long ago, a man could not raise bail of $300. He spent 54 days in jail awaiting trial on a traffic violation for which the maximum penalty was 5 days. Such unfortunate cases mock the presumption of innocence and threaten the democratic values which that presumption protects.

Our present bail practices are not merely unjust, Mr. President, they are also costly. Holding in jail thousands of persons awaiting trial cost Federal and State governments millions of dollars. The cost to the accused man himself is often crushing—too often. While in jail, he is unable to work. He is apt to lose his job. He may suffer economic loss that will take years to repair. And even for direct economic loss he will not be compensated by the Government which incarcerated him. The human costs, however, are the greatest costs. The accused man waiting in jail for his trial may lose more than a wage or his job. He may be stigmatized as a criminal, lose the respect of his neighbors, or lose even his own self-respect. It is naive to think that probation or acquittal can undo the damage.

Moreover, conditions in many of our jails can take a terrible toll on the sensibilities of those compelled to endure them because of inability to raise bail. The typical jail has little to inspire the prisoner and much to demoralize him. The result is that he must spend his time there vegetating and degenerating. And why confine accused men, some of whom will be released or acquitted, more of whom will be placed on probation, with those who are already convicted and sentenced? To subject them to such contacts and influences wars with the rehabilitative objectives of our whole criminal process. Jailing a youthful defendant, in the words of Mr. Justice Douglas, "is equivalent to giving a young man an M.A. in crime."

The present bill, Mr. President, is designed to remedy the evils I have described without impairing the purpose of our bail system, which is to assure the presence of the accused at trial. The central provisions of the bill fashion a flexible pretrial release system, designed to render wealth irrelevant to liberty. The bill provides power to judges and commissioners to release accused persons on their own recognizance or under one or more of a number of possible conditions, only the most stringent of which will involve a secured bail bond. In addition to release on personal recognizance, the bill provides for conditional releases, such as release on unsecured bond; release into the custody of a probation officer or some third person, such as a clergyman or relative; release with restrictions on travel, association, or place of abode: and release during daylight hours only. Even if a judicial officer should decide that a secured bail bond is required in a particular case, the bill provides an alternative to the bondsman by allowing deposit in the court of a sum not to exceed 10 percent of the bond, the deposit to be returned upon the performance of the conditions of release. Under the bill the judicial officer setting the accused's release conditions can require the execution of a cash bond or a surety bond only if he is convinced that less stringent measures will be inadequate to guarantee the presence of the accused at trial.

Mr. President, based on the hearings that were held jointly before the judiciary Committee's Subcommittee on Improvements in Judicial Machinery, of which I am chairman, and the Subcommittee on Constitutional Rights, and based also on additional study that I have given the matter, I feel that the present bill is a long overdue step toward divorcing the quality of justice an accused receives from his financial means. The bill should be promptly enacted into law. I do wish to point out, however, as is made clear by the committee's report, that the present bill is not intended to deal with the problem of preventive detention. While the members of the committee recognize that the preventive detention problem is intimately related to the bail reform problem, it was felt that the need for reform of existing bail procedures is so pressing that such reform should not be delayed with the hope of enacting more comprehensive legislation that might deal also with the preventive detention problem. Accordingly, the present bill deals only with the bail reform problem, reserving the preventive detention problem for additional study.

Finally, Mr. President, I would like to acknowledge the very great debt I owe my distinguished colleague, the senior Senator from North Carolina [Mr. ERVIN]. Senator ERVIN, who is chairman of the Subcommittee on Constitutional Rights, gave uncounted hours of consideration to the present bill. I think it is in great measure due to that distinguished Senator that S. 1357 is the admirable reform measure which I think it to be, and that the bill is before us today.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ERVIN. Mr. President, I should like to commend the Senate for passing S. 1357, the Bail Reform Act of 1965, and to express my appreciation for the assistance and support of my Senate colleagues, especially the members of the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery. Special commendation is due to Senator TYDINGS, the chairman of the Subcommittee on Improvements in Judicial Machinery, for his interest in bail reform legislation and his assistance in connection with the joint hearings on the bill.

As I have observed on other occasions, S. 1357 grew out of the continuing study of Federal criminal justice in which the Subcommittee on Constitutional Rights has been engaged since 1958. This legislation is intended to remedy many of the serious inequities found by the subcommittee to pervade Federal bail procedures and to bring those procedures

into conformity with our cherished concepts of constitutional due process.

I should point out, however, that the bill does not deal at all with one serious ancillary problem studied by the subcommittee—the concept of the "preventive detention" of an accused person on the grounds that his liberty might endanger the public welfare because of his predisposition to commit further crimes, intimidate witnesses or destroy evidence. It is recognized that preventive detention is intimately related to bail reform and that it involves grave implications concerning the right of the public to be protected against unlawful conduct. On the other hand, however, preventive detention raises serious constitutional problems. For if we are to preserve the principle that an accused person is presumed innocent of the crime with which he is charged, there are obvious grave difficulties with sanctioning a procedure which allows courts to detain him prior to trial for fear that he might commit a crime if released.

Under all the circumstances, the subcommittee decided that legislative authorization of preventive detention seemed premature at the time the bail reform bill was drafted, and that inclusion of a preventive detention provision in the bill might confuse the issues and endanger passage of the bill. Much progress has been made within the framework of present law and more progress can be expected as a result of the passage of S. 1357. Rather than risk the great uncertainties, legal and practical, which might result from legislative authorization of preventive detention at this time, the subcommittee preferred to undertake a more reliable assessment of the need for, the desirability of and the legal permissibility of preventive detention.

With this in mind, the subcommittee is continuing its study of preventive detention and expects to schedule hearings on the subject in the near future.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 750), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 1357, as amended, is to revise bail procedures in Federal courts and in the courts of the District of Columbia in order to (1) assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest; and (2) assure that persons convicted of crimes will receive credit for time spent in custody prior to trial against service of any sentence or payment of any fine imposed. The bill would amend chapter 207 of title 18, United States Code, by striking out section 3146 (the present bail-jumping statute) and inserting in lieu thereof seven new sections, 3146 to 3152; would amend the first paragraph of section 3568 of title 18, United States Code (effective date of sentence); and would make technical changes in sections 3041, 3141, 3142, and 3143 of title 18, United States Code, and in the heading to chapter 207 and the table of contents to part II of such title.

The bill is not intended to deal with the problem of preventive detention of an accused because of the possibility that his liberty might endanger the public welfare, either because of the accused's predisposition to commit further acts of violence during the pretrial period, or because of the likelihood that his freedom might result in the intimidation of witnesses or the destruction of evidence. While it is recognized that the preventive detention problem is intimately related to the bail reform problem, the committee feels that the need for reform of existing bail procedures is so pressing that such reform should not be delayed with the hope of enacting more comprehensive legislation that might deal also with the preventive detention problem. Consequently, the present bill deals only with the bail reform problem, reserving the preventive detention problem for additional study.

LEGISLATIVE HISTORY

Since 1958 the Subcommittee on Constitutional Rights has been engaged in a far-reaching investigation of the need to safeguard the constitutional rights of American citizens in the administration of criminal justice. Apart from its continued study of arrest, police detention, involuntary confessions, discovery, venue, and the right to counsel, the subcommittee has for several years focused its attention on existing Federal bail procedures. As a result of this study, in May 1964, Senator ERVIN, chairman of the subcommittee, introduced, for himself and Senators JOHNSTON, WILLIAMS of New Jersey, BAYH, DOUGLAS, LONG of Missouri, HRUSKA, FONG, and KEATING, three bills (S. 2838, S. 2839, and S. 2840) designed to modify and improve Federal bail procedures. Following the introduction of these bills, the subcommittee sought comments on the bills from law professors, Federal and State law enforcement officials, and other persons or groups interested in the administration of criminal justice. Joint hearings on the bills were held on August 4, 5, and 6, 1964, by the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery. The bills received strong support from the Department of Justice and from virtually all other persons and groups involved with the administration of criminal justice.

Similar bills (S. 646, S. 647, and S. 648), cosponsored by 20 Senators, were introduced by Senator ERVIN on January 22, 1965. Senator ERVIN stated at that time that efforts were being made to develop an omnibus bail reform measure which would embody the substance of S. 646, S. 647, and S. 648 with revisions and additions suggested by representatives of the Department of Justice and by other witnesses who testified at the 1964 hearings.

On March 4, 1965, Senator ERVIN introduced, for himself and 16 other Senators, the present omnibus bail reform measure, S. 1357. As introduced, S. 1357 expanded the provisions of S. 646, S. 647, and S. 648 in three main respects:

First. It provided Federal courts with additional methods of releasing persons accused of criminal offenses. S. 646 provided only for release on personal recognizance and S. 648 provided for release upon deposit in the court of 10 percent of the amount of bond set. S. 1357 set forth seven enumerated methods of release and authorized "any other restriction which the judge may reasonably require to insure appearance as required."

Second. It provided for an appeal of release orders by persons aggrieved by the release conditions imposed. No right to appeal release orders was specifically stated in the earlier bills.

Third. It provided credit for pretrial confinement against any fine imposed by the court as well as against any sentence imposed. S. 647 provided only for credit against service of sentence.

On June 15, 16, and 17, 1965, the Senate Subcommittee on Constitutional Rights and the Senate Subcommittee on Improvements in Judicial Machinery, under the chairmanship of Senator JOSEPH D. TYDINGS, held joint hearings on the four bills, S. 1357, S. 646, S. 647, and S. 648.

NEED FOR LEGISLATION TO MODIFY FEDERAL BAIL PROCEDURES

The principle that a person is presumed innocent until proven guilty by a court of law is perhaps the most basic concept of American criminal justice. A corollary of this presumption of innocence is that a person accused of crime should not be confined because of his impecuniosity prior to his trial and conviction so long as he can provide adequate assurance that he will be available to stand trial when called. The monetary bail system in the United States developed as a method of releasing an accused person pending trial while providing the requisite assurance that he will appear for trial.

Every witness before the subcommittees agreed that, at least in noncapital cases, the principal purpose of bail is to assure that the accused will appear in court for his trial. There is no doubt, however, that each year thousands of citizens accused of crimes are confined before their innocence or guilt has been determined by a court of law, not because there is any substantial doubt that they will appear for trial if released, but merely because they cannot afford money bail. There is little disagreement that this system is indefensible.

Senator ERVIN, in his opening statement, noted that "serious constitutional questions are raised by a system which imposes pretrial confinement on persons presumed innocent, and which hampers their efforts to prove their innocence, merely because they have limited financial means. And although our present bail procedures have not been held to be unconstitutional, they certainly are in sharp contrast with our cherished concepts of equality before the law and the presumption of innocence."

Senator ERVIN noted further: "Almost without exception, those persons and groups who have studied the problem have concluded that it is time to reform the Federal bail system to correct the inequities which, in a real sense, threaten our system of ordered liberty itself."

Deputy Attorney General Clark, the opening witness before the subcommittees, expressed similiar views. He said:

"Whatever its conception and earlier value, we have awakened to the realization that bail practice has imposed intolerable injustice, meaningless deprivations of liberty, and harmful losses to individuals and society for decades.

"The hearings which you held last August marked the first time in 175 years that the Congress undertook a close look at the operation of the Federal bail system * * *. The joint report published by your subcommittees in December made it abundantly clear that the need for change, and its direction—diminishing dependence on money and eliminating unnecessary detention—can now be taken as established * * *."

There was widespread agreement among witnesses that the accused who is unable to post bond, and consequently is held in pretrial detention, is severely handicapped in preparing his defense. He cannot locate witnesses, cannot consult his lawyer in private, and enters the courtroom—not in the company of an attorney—but from a cell block in the company of a marshal. Furthermore, being in detention, he is often unable to retain his job and support his family, and is made to suffer the public stigma of incarceration even though he may later be found not guilty.

Because of this disadvantage, Senator TYDINGS noted: "Those confined because they cannot meet bail requirements serve longer prison sentences and secure fewer acquittals and dismissals than those who are able to secure bail."

The need for reform and the indicated direction of such reform were perhaps best summed up by Deputy Attorney General Clark, who concluded:

"It is clear that defects persist at several stages of the bail process and that resort to a variety of methods is essential to meet them. First, responsible officials in the criminal process have to be awakened to the fact that it is feasible to release many more defendants prior to trial with no loss of effectiveness to law enforcement. There is the problem of promptly providing to commissioners and judges setting bail the facts they need to make well-informed decisions. Finally, there is the clear need to overhaul laws which promote excessive reliance on money, which produce too little flexibility in tailoring conditions of release to the particular defendants, and which pay insufficient heed to the amount and effects of detention."

It is felt by the committee that S. 1357, as amended, will go far in accomplishing the needed reforms.

CONVEYANCE OF CERTAIN LANDS SITUATED IN THE STATE OF OREGON TO THE CITY OF ROSEBURG, OREG.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 739, House bill 2414.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 2414) to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, reserving the right to object, permit me to observe that the bill provides for the conveyance of certain properties from an instrumentality of the Federal Government to a municipality in the State of Oregon, the home State of our beloved friend the Senator from Oregon [Mr. MORSE], who has offered in times past the so-called Morse formula. Let me inquire of the Senator from Alabama whether the Morse formula applies to this proposed legislation.

Mr. SPARKMAN. Mr. President, it is my information that there is no monetary consideration involved in this bill, and that it does not violate the Morse formula.

Mr. KUCHEL. Mr. President, again reserving the right to object, I wonder whether I might have a little more expatiation on the reasons why it does not?

Mr. SPARKMAN. It was my purpose to ask that a certain portion of the report be included in the RECORD, but I shall read the excerpt, which I believe will give the Senator an adequate explanation:

This bill would authorize the Administrator of Veterans' Affairs to convey, without monetary consideration, to the city of Roseburg, Oreg., approximately 47 acres of land of the Veterans' Administration Hospital located in that city.

In 1932 the city of Roseburg donated to the United States a tract of 413.7 acres of land and the State of Oregon donated a tract of 40 acres. A Veterans' Administration hospital was constructed on that land. Subsequently, under Public Law 84–595, the General Services Administration transferred 163 acres to the city of Roseburg. It is presently being used for park purposes. The land sought to be transferred by this bill is in two parcels, one lying north of the South Umpqua River and the other lying immediately south of the river.

The bill contains appropriate language to protect the interests of the United States and would not be adverse to the interests of the Veterans' Administration hospital.

No appropriation would be necessary to carry out the provisions of this bill.

Mr. KUCHEL. Let me inquire of the Senator whether the land, which the bill would authorize the Federal Government to convey to the State, is a part of the lands which formerly the municipality of the State of Oregon conveyed to the Federal Government?

Mr. SPARKMAN. The Senator is correct.

Mr. KUCHEL. Let me inquire whether, at the time of the conveyance by the Oregon municipality of this land, the Federal Government paid any money for the property thus transferred?

Mr. SPARKMAN. The report from which I have just read has stated that it was donated.

Mr. KUCHEL. Mr. President, I believe that this bill is in the public interest. I shall have no objection to register to its passage. Let the RECORD show, however, that on prior occasions, with considerable pain, I introduced legislation under which the Federal Government would reconvey to the State from which I come, property which prior thereto had been conveyed without cost to the Federal Government. At that time, I encountered some difficulty in having the Senate approve it; although at long last the Senate did approve it. I believe that, too, was in the public interest. I have no objection to the proposed legislation because I believe it will serve a useful purpose.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

RIGHT OF PERSONS TO BE REPRESENTED BY ATTORNEYS IN MATTERS BEFORE FEDERAL AGENCIES

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 740, Senate bill 1758.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1758) to provide for the right of persons to be represented by attorneys in matters before Federal agencies.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after "Sec. 101.", to strike out "Practice by Attorneys" and insert "Representation Before Federal Agencies"; in line 10, after the word "signature", to strike out "or" and insert "on"; on page 2, line 2, after the word "representation", to strike out "that he is both properly qualified and authorized to represent the particular party in whose behalf he acts" and insert "to the agency that under the provision hereof he is authorized to represent the particular party in whose behalf he acts, and that he is currently qualified as provided herein"; after line 6, to insert:

(b) In the case of representation before the Internal Revenue Service of the Treasury Department, the provisions of section 101(a) shall be applicable to any person duly qualified to practice as a certified public accountant in any State, possession, territory, Commonwealth or the District of Columbia.

At the beginning of line 13, to strike out "(b)" and insert "(c) Except as provided in section 101(b)"; at the beginning of line 23, to strike out "a power of attorney before the agency transfers funds to the attorney for the party whom he represents" and insert "the filing of a power of attorney as a condition to the settlement of any controversy involving the payment of money"; on page 3, line 8, after the word "participant", to insert "in such matter"; and, after line 13, to insert a new section, as follows:

SEC. 103. DEFINITION OF AGENCY.—As used in this Act, "agency" shall have the same meaning as it does in section 2(a) of the Administrative Procedure Act, as amended (60 Stat. 237, as amended).

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 101. REPRESENTATION BEFORE FEDERAL AGENCIES.—(a) Any person who is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia may represent others before any agency; and whenever such a person acting in a representative capacity appears in person or signs a paper in practice before an agency, his personal appearance or signature on any paper filed in the proceeding shall constitute a representation to the agency that under the provisions hereof he is authorized to represent the particular party in whose behalf he acts, and that he is currently qualified as provided herein.

(b) In the case of representation before the Internal Revenue Service of the Treasury Department, the provisions of section 101(a) shall be applicable to any person duly qualified to practice as a certified public accountant in any State, possession, territory, Commonwealth or the District of Columbia.

(c) Except as provided in section 101(b) nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others before any agency or in any agency proceeding; to authorize or limit the discipline, including disbarment, of persons who appear in a representative capacity before any agency; to authorize any person who is a former officer or employee of an agency to represent others before an agency where such representation is prohibited by statute or

regulation of an agency; or to prevent an agency from requiring the filing of a power of attorney as a condition to the settlement of any controversy involving the payment of money.

SEC. 102. SERVICE.—When any participant in any matter before an agency is represented by an attorney at law or other qualified representative, and that fact has been made known in writing or in person by the representative to the agency, any notice or other written communication required or permitted to be given to or by such participant in such matter shall be given to or by such representative in addition to any other service specifically required by statute. If a participant is represented by more than one attorney or other qualified representative, service by or upon any one of such representatives shall be sufficient.

SEC. 103. DEFINITION OF AGENCY.—As used in this Act, "agency" shall have the same meaning as it does in section 2(a) of the Administrative Procedure Act, as amended (60 Stat. 237, as amended).

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The VICE PRESIDENT. Without objection, the amendments will be considered en bloc; and, without objection, they are agreed to.

Mr. ERVIN. Mr. President, before the pending bill is acted on, let me say that I believe it to be a meritorious bill. Accordingly, I would like to urge the adoption of this measure, which would authorize attorneys, licensed to practice law in their home States, to practice before Federal administrative agencies and departments without separate admission by the agency involved.

I congratulate Senator LONG of Missouri on introducing this legislation which advances an elementary facet of our constitutional and legal system. Whether by direct or indirect action, a Federal limitation on the choice of counsel abrogates the right to counsel under the sixth amendment to the Constitution. Accordingly, S. 1758 goes a long way to enlarge the right of persons to be represented by attorneys of their choice in matters before Federal agencies and departments.

Under the able guidance of Senator LONG, the Subcommittee on Administrative Practice and Procedure has carefully documented the need and importance for this legislation. The bill has the unanimous support of the members of the subcommittee and has been approved by the Department of Justice. Virtually every State and local bar association in the United States has strongly endorsed S. 1758. The bill has the enthusiastic support of the American Bar Association.

Additionally, the bill was amended in the committee to provide that persons licensed to practice as certified public accountants in the various States should have the right to represent clients before the Internal Revenue Service without further qualifications or examinations. The American Institute of Certified Public Accountants approves the bill and recommends its passage.

Therefore, Mr. President, in order to facilitate the practice by attorneys and certified public accountants of their professions without arbitrary restriction by the Government, I strongly urge the passage of S. 1758. The bill is meritorious in every respect.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to provide for the right of persons to be represented in matters before Federal agencies."

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 755) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

This legislation is designed to do away with agency-established bars for attorneys who appear before certain Federal administrative agencies. In those agencies which require that lawyers become members of such bars to represent clients before the agency, lawyers have met with delays attempting to deal with even the most routine tasks. The responses of attorneys prompted by this bill's introduction cite examples of difficulty in attempting to bring even simple matters before these agencies.

The bill would do away with agency-established admission requirements for licensed attorneys, and thus allow persons to be represented before all Federal agencies by counsel of their choice. It would also require the agencies to deal with the counsel so selected.

The bill also would eliminate the special enrollment requirements for certified public accountants in representing others in accounting matters before the Internal Revenue Service. The legislation is not intended to change the scope of service performed by certified public accountants in the practice of accountancy.

The legislation would be implemented by practical procedures which would safeguard the agencies and public alike.

HISTORY

In 1884, a bill was passed by the Congress appropriating moneys for claims for "lost horses" during the Civil War. The claims were processed through the Treasury. This is the statutory authority for the Internal Revenue Service's attorney enrollment procedures in 1965, 81 years later and dealing with a wholly different problem. It is also one of the last remnants of a legislative directive on the subject.

Bills on this subject have been introduced in the U.S. Congress during many of its preceding sessions, but at no time in the past has the support for the measure been so widespread.

Some time ago, many agencies issued regulations requiring application to the agency before attorneys could be deemed acceptable as practitioners. In 1957, the Department of Justice recommended that all agencies discontinue the practice. Most have done so. Today, four retain them, and only two of those object to the proposed legislation. Unfortunately, they are two important agencies and there is no sign that they will voluntarily abandon these without this legislation. Indeed, they have made it perfectly clear that they will continue as in the past until forced to change by the Congress.

OBJECTIONS

Of all the Federal agencies, only two have raised objections, the Internal Revenue Service and the Patent Office. The former generally found fault with the ethical standards of attorneys while the latter believed that the standards were acceptable as enforced by the State bar associations. For its part, the Patent Office found fault with the training and educational background of general practitioners, although the Internal Revenue Service, clearly able to test and determine professional proficiency under existing law, has as a matter of policy failed even to inquire about practitioners' skill. Thus, the objections of these two agencies to the bill contradict rather than support each other.

TREASURY

In 1958, with respect to a recommendation of the Hoover Commission that the admission practices be abandoned, Treasury's position was that it had no objection to this action if directed by legislation to do so.

Today its position is reversed; it is opposed to the legislation. When questioned during the hearings as to what prompted this reversal policy, the representatives of the Treasury did not explain why Treasury should object now but not in 1958.

The Office of the Director of Practice of the Internal Revenue Service is maintained at a cost of some $300,000 annually (an amount the Second Hoover Commission recommended saving by eliminating the Office). It is staffed with 18 full-time employees in its central office and an unknown number of man-hours are spent in field investigations.

An application must be filled out and submitted to the Department with a $25 fee. The very first line of this sworn application states that the applicant has "familiarized" himself with the complete contents of the 24 pages of fine print contained in Circular No. 230.

An affidavit must be filed that the applicant will conduct himself in accordance with those 70 provisions.

The purpose of the application, according to the agency, is to furnish information which will aid the agency in its independent investigation of the attorney's background. This involves checking to see if the attorney has filed his tax returns in prior years, and if there is anything tainted about his personal or professional life. The yardstick used by the director in his sole judgment is the "character and reputation" of the applicant.

The only appeal provided is to the Secretary of the Treasury. If the Director of Practice and the Secretary reject an application, a lawyer cannot represent clients in tax matters before the Treasury—not even if the client wishes it. This is true even though the lawyer could represent that client before the highest court of the State, and all the Federal courts, including the Supreme Court. In some cases, Treasury's refusal to deal with attorneys not having a Treasury card is tantamount to denying the taxpayer his right to counsel.

The reason, according to the Internal Revenue Service, as opposed to every other Federal agency, is that the Treasury Department does not believe that State bar associations adequately police their members and as a result retain on their rolls attorneys who may be persons of questionable character.

The inconsistency of this position is that Treasury cards are not required for preliminary negotiation where the bulk of disagreements over tax reporting are resolved. Nor are they used for the appeals of tax cases from adverse rulings before the Internal Revenue Service. They are deemed necessary by the Internal Revenue Service only through the hearing stage of the case before that agency.

It is the view of this committee that these procedures are not warranted as a restriction on duly licensed attorneys in tax cases. The relationship between the effectiveness of an advocate and that advocate's personal affairs and personal tax problems is remote. Furthermore, the constant surveillance by State bar associations will almost without exception insure the integrity of practice. Indeed, the Internal Revenue Service does not even inform State bar disciplinary bodies when the Internal Revenue Service has taken some disciplinary action against a lawyer.

If matters of ethical misconduct are brought to the attention of the agencies, adequate tools are at their disposal to deal with the situation. Section 101(b) of S. 1758 specifically provides that the agencies shall lose none of their rights to discipline or disbar attorneys.

PATENT OFFICE

The Patent Office objects to the legislation, while the American Patent Law Association considered the proposal at length and took no position on the bill.

It is the position of the Patent Office that practice before it is so specialized that only persons who have particular types of training should be permitted to practice. The Patent Office is vague as to just what this training should be. A broad technical background is considered desirable, but if a person had a specialty in a technical field, that person also would be acceptable. Although all patent practitioners are specialists, one examination for admission is administered to everyone.

The heart of the objection of the Patent Office to the legislation is the conviction that patent law as practiced before the Patent Office is so technical and so unique as to represent a special case requiring an exemption from the provisions of the bill. It is the conclusion of this committee that, despite its technical complexity, patent law is essentially no different from a number of other fields of the law. This conclusion is supported by the fact that patent law practiced before the courts, and indeed everywhere except before the Patent Office, is not held to require a similar restriction on licensed attorneys.

Whenever a lawyer agrees to take a case in a new field of the law, or goes into a new forum, he must learn new substance and/or new procedures. He is bound by the ethics of his profession to decline a case which after study he feels he cannot adequately handle for his client. This is true in every field of the law, not just patent law.

If the committee were to make an exception for the Patent Office, other exceptions would be requested. The committee does not feel that any such exemptions are warranted.

The committee believes that patent cases will continue to be handled by technically competent attorneys. Actually, all fields of law are handled predominantly by attorneys who have, by their continuous experience in the field, become specialists. But this does not mean that the general practitioner should be excluded from any field of law.

Finally, it seems illogical to permit the Patent Office to require special admission procedures for practice by attorneys before the Patent Office, when the same attorneys are not required to pass such examinations to handle patent law cases at all stages before the Federal courts, including the Supreme Court of the United States.

PROVISIONS OF THE BILL (S. 1758)

Section 101 of the bill was written to describe a bona fide attorney who is presently in good standing before the courts and who has not had his right to practice suspended or terminated in any State for nonprofessional conduct.

Certain witnesses questioned the exact scope of the representation made by the entry of appearance of an attorney. The bill was specifically amended to show the dual nature of the representation. The attorney represents that he is an attorney as described in the bill, and that he does in fact represent the client as he indicates. If he is guilty of misrepresentation on either score, the person is liable to the usual criminal penalties included for false statements to a Government agency; i.e., $10,000 fine, 5 years in prison, or both.

In order for the legislation to accomplish its desired ends, the person who is properly before an agency in his representative capacity must deal and be dealt with by the agency. Section 102 of the bill, entitled "Service," focuses specifically on requirements of one aspect of this dealing; i.e., service and communication.

The bill in no way interferes with statutes presently dealing with an agency's duty to hold confidential those things communicated to them by the public.

The very agency which objects to this aspect of the bill, the Internal Revenue Service, readily admits that no power of attorney is required under existing procedures at levels below the hearing stage. If proceedings below the hearing stage present no problem for the agency in withholding confidential communications, it is difficult to understand why the hearing stage presents significantly new or additional problems.

The penalties are severe. There are alternative courses of action an agency may take when a person is suspected of misrepresenting himself under the bill. The aid of State bar licensing authorities may be enlisted, or the investigative machinery of the Government may be set in motion with a view toward criminal prosecution. A person making a false representation to an agency faces a severe fine and long imprisonment. An attorney, in addition, faces loss of professional status and the sanctions of his local bar grievance procedures. This committee feels that a man would be foolhardy to face these consequences for some immediate gain.

There is nothing contained in the measure to prevent an administrative agency from maintaining a list of persons, including attorneys, who appear before them. An agency may have good and proper reasons for such a list. Persons who deal with an agency from day to day may more easily be kept informed on developments within the agency by having their names on a mailing list. The agency may wish to seek the advice of practitioners who because of their practice before the agency have an expert knowledge of the field. This peculiar knowledge and familiarity with agency procedures may be of invaluable service to both agency and practitioner alike. The bill would not inhibit agencies from maintaining lists of attorneys for such purposes.

PUBLIC BENEFIT

Passage of this statute will benefit the public because it will closely aline procedures before Federal administrative agencies with those which are effectively used in court in this country today.

The bill has been given the overwhelming support of attorneys, bar associations, certified public accountants, and other persons who are experts on the administrative process.

On the basis of the foregoing considerations, the committee concludes that S. 1758, as amended, is a meritorious proposal and, therefore, recommends that the bill, as amended, be given favorable consideration.

Mr. SPARKMAN. Mr. President, on the three last bills which were passed, I ask unanimous consent to move that the votes by which the bills were passed be reconsidered en bloc.

The VICE PRESIDENT. Is there objection to consideration en bloc of the votes by which the last three bills were passed? The Chair hears none, and it is so ordered.

Mr. SPARKMAN. Separately and severally en bloc, Mr. President.

Mr. KUCHEL. Mr. President, I have the honor to move that the motion to reconsider these three bills be laid on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. SPARKMAN. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Kae B. Weston, to be postmaster at Laketown, Utah, and Wilma F. Majors, to be postmaster at Russell Springs, Kans., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Richard H. Davis, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Rumania vice William A. Crawford; and

John H. Burns, of Oklahoma, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the United Republic of Tanzania.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

GEOLOGICAL SURVEY

The legislative clerk read the nomination of William T. Pecora, of New Jersey, to be Director of the Geological Survey.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service, which had been placed on the Secretary's desk.

The VICE PRESIDENT. Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. SPARKMAN, the Senate resumed the consideration of legislative business.

WEST VIRGINIA'S GOVERNOR FORESIGHTED IN COAL PLANNING

Mr. BYRD of West Virginia. Mr. President, the public works appropriation bill for fiscal year 1966, which was passed by the Senate on August 23, contained, among other items, a provision of $3 million to permit the dredging of the harbor at Norfolk, Va., so that larger vessels could utilize the shipping area to transport substantially increased tonnages of West Virginia coal to foreign markets. The dredging of the Hampton Roads port by an additional 5 feet to accommodate new colliers from France and Italy, it is believed, will permit the shipping of an increased 10 million tons of coal to those countries by 1970, according to projections of the Department of Commerce. This would increase dollar earnings from coal shipments by a total of $80 to $100 million annually, beginning in 1970, with a possible estimate of an additional 2,000 jobs to be created in West Virginia from the increased production. This would also be of substantial benefit to our American balance-of-payments situation.

The present Governor of West Virginia, the Honorable Hulett Carlson Smith, during the time he served as West Virginia's first commissioner of commerce, was instrumental in actions leading to the development of this project. I, therefore, ask unanimous consent that the article, "West Virginia Coal and the State Government," which he prepared, be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WEST VIRGINIA COAL AND THE STATE GOVERNMENT

(By Hulett Carlson Smith, Governor of West Virginia)

There has been much recent publicity concerning the plight of certain distressed areas of the Appalachian region. Frequently it is said that this is due in part to the coal industry being dead. This is certainly far from being the case, for coal today is very lively and one of our basic industries.

In 1963, West Virginia produced 126,117,143 tons of coal from 1,986 mines located in 36 of our 55 counties. This compares with a production of 123,061,985 tons in 1925. However, the important factor of change is that it took 111,708 men to mine this amount in 1925 whereas in 1963 more coal was mined by a workforce of only 44,854; consequently, West Virginia was one of the first States to feel the brunt of automation from an employment standpoint.

Naturally, automation has produced severe and complicated economic and sociological problems within the coal regions. My administration is fully cognizant of the problem; there is no easy solution, but we are attempting to meet the challenge head on.

TRAINING PROGRAMS

The 1965 session of our legislature passed the most comprehensive education bill in the State's history. Manpower training programs are underway, industrial development activities are achieving excellent results, tourism is on the increase and existing industry is expanding. We are extremely hopeful that the newly enacted Appalachian Development Act of 1965 will act as the trigger to start the entire region into an era of economic prosperity.

In addition to developing new programs and attracting new industry, a Governor must also do everything in his power to protect existing industry. After all, it is existing industry that has been the mainstay of the State's economy. Consequently, I try to work actively with the chemical, glass, metal, wood, coal, and other industries to help in any way that I can from a Governor's level. This help ranges from helping with Federal procurement orders to protesting against imports of competitive products. However varied as the help may be, it is essential that industry know that it can turn to its State government for help.

It is interesting to follow the help that we have been trying to do for our coal industry. This has encompassed both national and international efforts.

WASHINGTON LIAISON

First, on the national scene, our Washington liaison office each month sends out procurement leads representing a possible million tons of coal. These are sent directly to the operators and/or their associations. These leads range from Department of Defense orders to overseas delivery for the Agency for International Development.

There are also cases where the prestige of the Governor's office is needed to present the State's views in hearing on governmental action that might affect the coal industry. Typical of this was the recent Atomic Energy Commission hearing to resolve the question of continued Federal subsidies for reactors creating a competitive hardship on other conventional fuels. The National Coal Policy Conference, the National Coal Association, and the United Mine Workers filed a joint protest. As Governor of West Virginia, I filed the State's protest of which I quote the following:

"Although automation in the coal industry has produced a number of complex economic and sociological problems within our borders, these improvements in production have kept coal on a competitive basis with other conventional fuels produced by private industry. It is apparent, however, that it is impossible for the coal industry to compete with nuclear reactor plants of the same basic type so long as the latter are subsidized either directly or indirectly by the Federal Government.

"Therefore, it is urgently requested that the Atomic Energy Commission take such appropriate action as is necessary to prevent the displacement of conventional fuels such as coal in its competition with nuclear power plants which should now be built and operated by private industry on a nonsubsidized basis.

"The coal industry in West Virginia is able and willing to compete with such plants in an open and nonsubsidized basis. However, our coal industry will surely suffer if we must continue to compete with nuclear powerplants which are subsidized. It is inequitable to the coal industry and to the taxpayer to continue such subsidization if private industry has demonstrated the ability to pay such costs."

COAL, HIGHWAYS

Again, on a national level, we work very closely with our congressional delegation to include in legislation, where possible, items that might help the coal industry. A good example of this would be the inclusion in the highway system portion of the Appalachian Redevelopment Act the following clause:

"For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary is authorized to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act."

It is on the international level that we are able to exert strong influence as the fuel situation abroad abounds with political implications. It is also of extreme importance to our State as some 80 percent of all coal exports to Europe come from West Virginia. The reason for this large percentage coming from our State is our proximity to the Virginia ports, the quality of our coal, and the excellent railroad connections provided by the Norfolk and Western Railway and the Chesapeake and Ohio Railway.

TRADE MISSION

As West Virginia commissioner of commerce, I was active in the organization of the State's first trade mission to Europe. This very successful 10-man mission had 2 of its members representing the coal industry; these were Lawrence Forbes, coal export manager, Norfolk and Western Railway, and Verl Johnson, vice president, Appalachian Coals, Inc. (recently joined Island Creek Coal Co.). The comprehensive report submitted by these men has proven of great help to our export coal trade for it not only showed the potential, but many of the problems.

In connection with these problems, I have had occasion to participate, along with Senator JENNINGS RANDOLPH and Senator ROBERT C. BYRD, as well as industry leaders, in a series of high-level meetings. The first of these meetings was with Christian A. Herter, the President's special representative for trade negotiations. Our purpose here was to be sure that coal became one of the key points of discussion in trade and tariff negotiations in Geneva. The second meeting was with Under Secretary of State George W. Ball. It dealt with coal exports in general but with primary emphasis on German import quotas.

Since these meetings, my special assistant in Washington, Henry Barbour, has been working in a three-man committee with Steve Dunn of the National Coal Association and Lawrence Forbes of the Norfolk and Western Railway. This committee has periodic meetings with the Department of State, Department of Defense, and Department of the Interior to discuss developments related to coal exports. In addition, Mr. Barbour, who headed the West Virginia trade mission to Europe, actively calls on embassy officials of coal consuming countries.

EXPORT EXPANSION

On February 19 came the first big breakthrough in coal exports since the start of the late President Kennedy's drive on trade expansion. This was the decision by French as well as Italian interests to build four large coal colliers aimed at loading coal at Hampton Roads.

Attending that meeting in Washington were: myself as Governor, Senators RANDOLPH and BYRD of West Virginia; my Washington assistant, Mr. Barbour; my administrative assistant, Con Hardman; Reed Scollon, chief of the Division of Bituminous Coal, Department of the Interior; Philip H. Trezise, Deputy Assistant Secretary of State; Colonel Young, Assistant Director of Civil Works, U.S. Army Corps of Engineers; and Mr. Forbes.

Representing the French and Italian interests were Raoul G. Duhamel, North American representative of the French ATIC; and Francesco Ferraro, general manager of the Italian Sidermar. ATIC (Association Technique de L'Importation Charbonniere) is the semiautonomous unit that decides on and controls all French coal imports. Sidermar is the steel manufacturing subsidiary of the nationalized Italian industrial complex known as Italsider. It is of particular interest that the French were talking coal for steam purposes and the Italians coal for steel.

Basically, both parties have become convinced that American coal is the answer to their needs both as far as quality and price as well as from the standpoint of long term reserves. This decision was brought about by their independent studies, by the findings of the Nathan Report, by the sales efforts of our West Virginia World Trade Mission, by the efforts of industry officials as well as transportation companies, and by the good offices of our Department of State and the Department of the Interior.

France plans to build two large coal colliers of 82,000 long tons each and drafts of 44 feet 9 inches. Italy plans to build two colliers of 77,500 long tons each and a 42-foot 6-inch draft. As all these ships are being built predicated on loading coal at Hampton Roads, there is immediately apparent the problem of the channel there being only 40 feet deep.

CHANNEL DREDGING

It was for this reason that our special meeting was held as both countries were emphatic in their stand that ship construction plans could not proceed without the firm commitment that the channel would be dredged.

Colonel Young said the Corps of Engineers has known of the need of this dredging for some time. A survey has been funded and completed, and he expects the proposal to be in the hands of Congress by mid-July. Due to the benefit-cost ratio of 5 to 1, it is expected that Congress will look upon the project favorably. Colonel Young further said the overall project could be completed in 5 years, but the crucial outbound channel could be finished in 3 years. The total cost would represent some $26 million of which $7.5 million would be required for fiscal year 1966.

France and Italy realize the channel cannot be completed prior to their ships being in operation, and their budgets figure about a year of sailing with smaller drafts. However, it would represent severe financial penalty if over 2 years were involved. Present ship delivery schedules call for one ship in the winter of 1966 and three ships in the winter of 1967. Consequently, it is crucial that funds be allocated for fiscal year 1966 as otherwise there would be the danger of the shipbuilding contracts being canceled or at least conversion to ore carrying ships.

It is estimated that the dredging of this channel will lead to a yearly increase by 1970 of about 10 million tons of coal exports over what is now being shipped. This would be a boon to West Virginia and Appalachia as a whole. Not counting railway and dock employment, we estimate that this increased tonnage would create over 60,000 man-days of work per year. On a national picture, this would be a great help to our balance-of-payments situation.

Realizing the importance of this dredging project, I have my Washington office working closely with all departments involved. Also, both Senator RANDOLPH and Senator BYRD have their staffs actively at work. Consequently, I am very optimistic that the project will proceed in an orderly fashion and that within a few years our coal industry and coal workers will begin to reap the benefits of this worthy project.

Those of us in the State administration are also active in cooperative efforts with industry officials to hold the line against residual oil imports. We are engaged in continuing attempts to prevent coal markets from being lost to this foreign fuel.

So, as mentioned earlier, coal is very much alive. Just as the industry and labor elements are working constantly to increase the industry prospects, so does the State government of West Virginia. A healthy, prosperous coal industry contributes in a major manner to a healthy and prosperous West Virginia.

DISCRIMINATION AGAINST JEWS BY SOVIET UNION

Mr. BOGGS. Mr. President, we are in the midst of a weeklong national vigil for Soviet Jewry, a protest against the continued discrimination against Jews by the Soviet Union.

The plight of Jews in Russia was emphasized Sunday at a dramatic rally here in Washington. Some 10,000 persons from 106 communities, including Wilmington, Del., gathered at Lafayette Park. Several speakers outlined conditions in Russia.

It is important that attention be focused on this shameful oppression. For that reason I hope the Senate will soon take final action on Senate Concurrent Resolution 17, which condemns persecution by the Soviet Union of any persons because of their religion.

It is my sincere hope that out of this focus of attention will come some easing of the restrictions which are keeping Jews in Russia from maintaining their time-hallowed traditions.

RESERVE OFFICERS ASSOCIATION SUPPORTS S. 9, THE COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, I have spoken before of the unanimous support which the cold war GI bill is rereceiving this year from the veterans organizations and patriotic organizations throughout this Nation.

In the recent hearings before the House Veterans' Committee, Col. John T. Carlton, executive director of the Reserve Officers Association of the United States, testified on behalf of that organization in support of this necessary bill.

To illustrate the excellence of his testimony and the strength of support of the Reserve Officers Association for this bill, I ask unanimous consent that Colonel Carlton's testimony be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF COL. JOHN T. CARLTON, EXECUTIVE DIRECTOR OF THE RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES, BEFORE THE HOUSE COMMITTEE ON VETERANS' AFFAIRS, SEPTEMBER 15, 1965

Mr. Chairman and members of the committee, we appreciate this opportunity to appear before you in connection with S. 9, a bill "to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period."

There is an obvious national interest, it seems to us, in the purposes of this bill. We earnestly hope the committee will advance it toward enactment.

We have previously testified before Congress in support of like bills which have been considered in previous Congresses.

We come before this committee, whose distinguished chairman, Mr. TEAGUE, and indeed all its members have established a historic record of intelligent and enlightened dealing in veterans affairs—confident of sympathetic, but objective consideration of our views and of this bill.

The cold war in which our country is engaged has for a number of years required our Nation to maintain abnormally large Armed Forces in this country and throughout the world. For those who serve in our Armed Forces, the cold war is just as much a conflict as a declared war. Its requirements upset personal life and involve sacrifices by all civilians who are called to uniformed service in the traditional American manner. To those who have served or are serving in the hot spots of this cold war, the dangers are just as great.

However, even with the great personnel requirements of our Armed Forces during the cold war, the vast manpower pool of this country is such that it is necessary to induct only a fraction of our young men into the armed services. These young men who are inducted and serve their tour of active duty, followed by several years of Reserve obligation, make sacrifices far out of proportion to those who are not called into the service.

One of these sacrifices is, of course, the interruption of the early and formative part of their life careers. They are taken into the service at the age they normally would be pursuing a formal education or technical training. In the meantime, those who have not been called into the service are receiving this education and training and establishing themselves in careers. This gives them a distinct advantage over those whose military service has interrupted these years.

This bill would provide a means by which our Government can at least partly recompense these young men for the sacrifices that they have made.

Senator YARBOROUGH, in his floor statement when he introduced this cold war GI bill, outlined so succinctly the reasons for the great necessity for its enactment, that it would be redundant for us to dwell upon them at any length. We only wish to say that we agree wholeheartedly with Senator YARBOROUGH when he said in his conclusion:

"I, for one, do not believe that the day has yet arrived when citizens who make up our Armed Forces must suffer for their loyalty and willingness to serve. We must begin a program that tells America that the draft law does not cause certain of our sons to lose 2 or more years from their competitive civilian lives, but instead, provides a challenging opportunity for honorable and patriotic service—service that will be suitably recognized and not be a lifetime burden."

During the 1961 hearings in the Senate, Senator WAYNE MORSE, who is recognized as an authority in this field, made a most eloquent and moving plea for support of this legislation. We were impressed by many of his arguments, but I should like to emphasize the principles he enunciated when he said:

"For the benefit of the Bureau of the Budget, and for the Defense Department and the Veterans' Administration, too, may I call their attention to the fact that the greatest defense weapon need of America is to develop the intellectual potential of the youth of America; more important, may I say, than their missile bases; more important than their jet bombers. Yet, we get a report from three departments that ought to be dedicated to the security of this country which shows a gross ignorance as to the need of developing the greatest weapons we have; namely, the intellectual potential of the young people of this country so sorely needed in the decade, the two decades, immediately ahead.

"Mr. Chairman, as vitally important as our military Reserve program is to the defense of the Nation—and I firmly believe in the value of a Ready Reserve to meet any challenge we are called upon to face—I cannot subscribe to the theory that a Reserve obligation assists a cold war veteran in readjusting to civilian life.

"The Active Reserve obligation impedes the cold war veterans' full participation in civil life, which, in turn, again exposes them to unfair competition from their civilian contemporaries. The fact that veterans must

discharge a post-Korean Reserve obligation involving drills and other military activities quite obviously enables their civilian contemporaries, by comparison, to make still more gains toward enjoyment of the fruits of our free enterprise society."

Therefore, Mr. Chairman, we would like to conclude our statement by reiterating our support of this most worthy and necessary bill, and urge its favorable consideration by your committee and the the Congress of the United States.

THE WAR ON POVERTY IN PROVIDENCE, R.I.

Mr. PELL. Mr. President, a group of citizens in Providence, R.I., has been quietly engaged upon what might be called their own personal war on poverty. Their efforts to date have been so outstanding that I ask unanimous consent that the following analysis be printed in the RECORD.

One of the city's urban renewal areas abuts one of the city's finest residential areas. As part of the urban renewal program, a new school is under construction, with the student body to be drawn from both sections. The area to be rebuilt has a heavy concentration of Negro families whose children presently attend the T. A. Doyle School and the Jenkins Street School. The community recognized that the students at these two schools will be at an educational and cultural disadvantage when they are integrated with the students from the higher socio-economic levels. To ease the adjustment for these children, a biracial neighborhood improvement group was formed in the fall of 1963. Its performance to date has indeed been impressive. In fact, Dr. Charles A. O'Connor, has written that—

I have never heard, read or seen a greater example of school and community cooperation than this project exemplifies.

The heart of the plan has been a tutorial program. During the initial period of the project, the second semester of the 1963–64 school session, 150 volunteers worked with 150 students. During the 1964–65 school year, 450 volunteers assisted more than 400 students. The entire budget for that latter period was $7,662 of which $5,000 was a grant from the Rhode Island Foundation and the remainder was the result of individual contributions. The Rhode Island Foundation, after seeing the tremendous achievements that sprang in part from their original contribution, has granted another $5,000 for support of the project during the 1965–66 academic year.

After-school academic tutorial assistance is provided by volunteer students from Brown University, Pembroke, Bryant, Barrington, and Providence Colleges, and Wheeler, Lincoln, and Moses Brown Schools. To meet the individual weaknesses of the children, the tutors work closely with the teaching staff. Success has been such that many parents requested and are now receiving their own academic tutoring in the evening. The adult tutoring program will be expanded this year, with more neighborhood people learning mathematics, English, French, and typing. Educational history was made in this area last spring when Mrs. Iola Mabray became the first of 32 adults participating in the evening program to receive a high school equivalency diploma.

Nor have ingredients other than formal training been neglected. In the Jenkins Street School an 800-volume lending library was established with 30 library volunteers conducting daily library periods during school hours. In the Doyle School a new library has been staffed by volunteers during the day. Evening study halls, too, have been provided, with additional volunteers acting as proctors.

But the program is wider than academic in scope; it has important recreational and esthetic phases. Special trips are made to local points of interest, again with volunteers accompanying the students and supplying transportation. After-school programs are also underway in areas ranging from ballet instruction to ceramics, from sewing classes to woodworking projects. It is as impressive to see 10- and 11-year-old boys carefully operating the woodworking appliances as it is to see the dresses made by their 9- and 10-year-old sisters. Clearly, these children are not only accomplishing something, they are enjoying it.

The academic grades of many of these children have improved markedly. This is heartening. But even more heartening is the improvement in outlook, motivation and attitude. And the volunteers, too, have benefited from their involvement. For certainly individual relationships bring a far greater understanding of a problem than does lending one's name to a letterhead or even making a financial contribution.

Mr. President, it is my firm belief, that it is through skirmishes such as these, coupled with the major battles we have authorized through the Economic Opportunity Act, that the war on poverty will at last be won.

GRANGE LEADER TALKS SENSE

Mr. CHURCH. Mr. President, for nearly 100 years the Grange has been talking sense. This is no less true today than it was in December of 1867 when the Grange was organized to improve the farmer's life.

One of the western leaders of the Grange is A. Lars Nelson, master of the Grange in Idaho's neighboring State of Washington. In the September 11 edition of Washington State's Grange News, Master Nelson talks about local, State, and Federal Government—not with the negativism which is so easy and satisfying for many, but with the realism of responsibility.

I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PEOPLE—BIG GOVERNMENT

There are some people in our country today who consider government as nebulous and far away, fraught with graft and corruption, an area to be avoided. These same people accept as commonplace and normal a whole host of constantly enlarging and expanding services and costs ranging from the U.S. Post Office—built, financed and staffed by the Federal Government—to the municipal policeman on the beat, afoot, horseback, in the patrol car, or hovering overhead in the helicopter. Further, if a service isn't offered or appears inadequate they ask for its creation—or expansion of an existing function to cover the need.

Government ranges from the preparation and operation of the Gemini capsule and the astronauts in flight to the Moon or Mars with a planned rendezvous in space, in competition with Russia, to the public school or fire alarm box on your street. It may be your State legislature in session—an act of Congress establishing a $6 million intercontinental communications and detection center at Brewster in north central Washington or an appropriation by the Congress for a comprehensive water study in the Eastern United States and the falling of the water level of the Great Lakes.

On the other hand, it may be development of the St. Lawrence Seaway with a vast reduction in shipping costs to and out of the heartland of the United States. Again it may be an appropriation of the Congress authorizing the creation of a dam or series of dams to prevent devastating floods which cause loss in life and property in millions of dollars.

Just a few days ago I saw first hand the ravages of flooding on the limited access 4-lane highway (Interstate 25, running between Denver and Colorado Springs, Colo.), where whole sections were undermined or washed out, leaving major bridges and extended strips of concrete derelict and ruined or requiring major repair or replacement.

These interstate highways are financed on a 90-to-10 ratio—90 percent Federal and 10 percent State, including securing right-of-way. The Governor of Colorado was on the air saying that it was imperative to maintain a special 1-cent gas tax in Colorado and I would agree as to the need. Other officials indicated that Federal funds of $5 to $6 million for agricultural and community rehabilitation and losses sustained were being distributed to people and areas who had sustained appalling losses.

Government is no larger today than burgeoning population requires, people demand, and keeping our position of leadership in a seething, changing, on-rushing world requires. When you pause to reflect it is spectacular and colossal what is taking place from the launch sites at Cape Kennedy—the global communications center at the Pentagon to the variety of decisions required from the President and his aids in the west wing of the White House.

There are few areas of living in the United States in our time that are not affected in some way by city, county, State, or Federal Government as well as international relations.—A.L.N.

MARSHALL UNIVERSITY OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, the action by the Congress in passing the Higher Education Act of 1965, provides prospects of more effective Federal aid to institutions such as Marshall University in West Virginia, which I once attended as a student while it was still Marshall College.

I ask unanimous consent to have a newspaper article, "Marshall Enrollment Zoomed After Name Change," printed in the RECORD.

There being no objection the newspaper article from the Sunday morning,

August 29, 1965, Beckley, W. Va., Post-Herald and Raleigh Register was ordered to be printed in the RECORD, as follows:

MARSHALL ENROLLMENT ZOOMED AFTER NAME CHANGED

(By U. Richard Toren)

CHARLESTON.—What's in a name? If you ask the question around the confines of Marshall University you'll get one answer—"Plenty."

Marshall will soon be starting its fifth school year as a university after 124 years as an academy and college. University status was achieved only after a sometimes bitter fight in the 1961 legislature. What's happened since?

Enrollment is up approximately 50 percent, more than the State college average. The budget is up 45 percent, also substantially higher than average.

"I think it (the name change) has given the university some additional status educationally," Marshall President Stewart Smith says.

But Smith is quick to add that "status depends on quality more than it does on a name or size."

"We have been working hard to improve the status of our institution, because the qualification it has is the work that it has done," he said.

Smith and Huntington newspaper editor Raymond Brewster, who served 20 years on the State board of education ending in 1961, were leaders in the campaign that culminated in designation of Marshall as a university.

"There was a considerable body within the legislature and in educational circles who were skeptical of the claims of Marshall for university status," Brewster recalled. "Those were for the most part sincere reservations."

"I think those who held them can today only be impressed by both performance and enrollment at Marshall," he said.

Marshall, named after the great Chief Justice John Marshall, started as Marshall Academy in 1837 and reached college status in 1858. When the legislature granted it university status in March 1961, it had a student body of just over 4,000 and an operating budget of $2.61 million.

The budget for the school year starting in September is $3.79 million. Enrollment is expected to reach about 7,000 counting 6,000 full- and part-time students on campus, 250 each in branches opened at Williamson and Logan in 1963, and 500 extension students.

"Enrollment at most institutions—and it's especially true here—is pretty well regulated by available housing," Smith said. "Dormitory space controls the rate of growth, and we're trying desperately to get financing for a tremendous need.

"As far as finances are concerned, I think there has been some greater recognition by the legislature of Marshall's needs. Whether it would have happened as a college is difficult to say."

How about the sometimes dire predictions of opponents of "U" status for Marshall that it would scatter the State's higher education efforts, maybe hurt West Virginia University, that it was "better for Marshall to be a first-rate college than a second-rate university"?

Smith replied that he considers those objections invalid—then and now.

"Marshall obtained university status because of its different colleges and schools. 'University' described the character of the institution better than 'college' did," he said.

Brewster makes no bones about his feeling that the legislature is not yet providing the support Marshall must have to meet the "opportunity and challenge" presented by the change in name.

Says the veteran newspaperman, who also is president of the Huntington Chamber of Commerce:

"The institution and the staff, despite severely limited budget resources, are meeting the challenge to widen its horizons of service and developing impressively its opportunity to feed in ever-increasing numbers the hunger for knowledge of today's youth.

"That the need existed for another State-supported university has been demonstrated beyond all argument by the fact that Marshall today is literally turning away students for lack of both physical facilities and staff."

Brewster said the answer that "must be apparent to all" is that Marshall must get "adequate financial support."

"To deny the institution such support is to deny the young men and women of our State, and particularly the southern half of our State, the educational opportunity the age in which they live demands," he said.

Brewster said one of the answers to Marshall's problems "is a separate governing board."

"This should be explored without delay, and acted on by the legislature."

While believing that the legislature has not followed through adequately on its commitment to Marshall, Brewster said university status "has unquestionably improved the potential of its financial support from numerous sources other than State appropriations, particularly foundation grants and Federal aid in one area or another."

COMPLETION OF MISSOURI SEGMENT OF INTERSTATE HIGHWAY 70

Mr. LONG of Missouri. Mr. President, this past weekend we marked a major milestone of progress in the development of our Federal highway program in mid-America.

On Sunday, September 19, ceremonies held at Columbia celebrated the completion of the Missouri segment of Interstate Highway 70.

One of the highlights of this pleasant occasion was an address by Secretary of Commerce John T. Connor. Secretary Connor discussed the Federal highway program and its importance for our State in a most informative and thoughtful manner. His remarks were particularly appropriate coming as they did, during National Highway Week. The Secretary's observations on our Federal highway program will, I feel sure, be of interest to many of my colleagues.

Mr. President, I ask unanimous consent to have Secretary Connor's recent address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF COMMERCE JOHN T. CONNOR, PREPARED FOR DELIVERY BEFORE THE MISSOURI GOOD ROADS ASSOCIATION AT CEREMONIES CELEBRATING THE COMPLETION OF THE MISSOURI SEGIMENT OF INTERSTATE HIGHWAY 70, COLUMBIA, MO., SEPTEMBER 19, 1965

It is an honor and a pleasure for me to join you in observing an historic accomplishment with so much significance for the people of Missouri and the Nation.

I think Gov. Warren Hearnes and Mr. Fred Hughes and his colleagues in the Missouri Good Roads Association deserve our appreciation for this occasion they so appropriately arranged.

It is most fitting that we should meet during National Highway Week in the middle of Missouri and the middle of America to commemorate the completion of a major central link in the nationwide Interstate Highway System. And this at the midpoint in the contruction of this system, for shortly we shall have open half of the 41,000 miles of Interstate freeways that promise to bring a new era in highway transportation.

I won't dwell on middleness any longer, though, lest I find myself in the middle of a middle-of-the-road speech.

But I do want to mention one special reason why I am happy to be here in Missouri, today. You see, I have heard a lot about Missouri and its highways from Rex Whitton, our Federal Highway Administrator. Whenever Rex is looking for an example to illustrate a point about highways he likes to refer back to his many years of experience here. And he has been telling me what a good job Marv Snider and the Missouri Highway Department are doing.

So, I thought I would be a Missourian for a day and just let you show me.

Well, you have. And you have every right to be proud of what you have accomplished.

Four decades ago this highway we call Interstate 70 was just being paved for the first time, after having served in bygone years as a major trail for westbound settlers. As U.S. Route 40 it served an increasingly motorized State and Nation, until it could no longer meet the needs of an ever-more-mobile people. And now, in less than a decade you have transformed this once-venerable wagon trail into a modern, high-speed, dual-lane thoroughfare—one of the main streets of the future America.

The scope of this transformation is indeed impressive. Eighty of the 252 miles of I–70 from the Mississippi to the Kaw are on new location. The route crosses the Missouri River twice, and has 46 bridges in all. It has 109 interchanges, 21 separation structures for highway crossings, and 12 for railway crossings. It has cost more than one-quarter of a billion dollars to build Interstate 70 through Missouri—$277,140,623, to date.

But, of course, your State highway department didn't just drop everything else to work on I–70. Before the end of the year, I–44—the old Route 66—will also be a fully divided highway from Joplin to St. Louis.

In 1956, when the accelerated interstate construction program got started, until July 1, Missouri put $651 million to work on interstate projects either completed or underway. You now have 665 miles of your total 1,120 interstate miles open to traffic, and another 100 miles under construction. So, with 59 percent of your mileage open, you are ahead of the national average.

In that same 9 years, I should add, you have put another $529 million to work on Federal-aid primary and secondary roads with regular Federal-State matching funds.

I am sure you can cite many examples of what this investment is doing for Missouri—of how it makes travel faster, safer, more economical, and stimulates economic growth. I–70, for example, cuts driving time between St. Louis and Kansas City to about 4 hours—roughly a 20 percent reduction from the old highway. At the same time, it has increased the route's capacity. Traffic counts show this highway is handling volumes that range from nearly 5,000 vehicles a day in the most rural area to 80,000 a day in St. Louis.

And then there is the enormous bonus in safety. Missouri's latest Interstate Highway accident study showed a striking comparison: A rate of 3.7 deaths per 100 million vehicle miles on your Interstate routes compared with a rate of 12 on the existing highways before the Interstate was opened. Accident and injury rates also were cut to a third or a fourth of what they had been.

So, you are accomplishing much in your highway program, and I know you will continue to do so.

Such a record of achievement gives real meaning to President Johnson's proclama-

tion of National Highway Week "in recognition of the importance of highway transportation to the social and economic progress and defense of our Nation."

When Congress set up the 16-year program for building the Interstate System, and for Federal financing of 90 percent of the cost, President Johnson was Senate majority leader. He said at that time, in July 1956:

"Evidence is mounting daily that the Federal-Aid Highway Act recently enacted by the Congress is one of the most far-reaching legislative measures ever to come out of this body.

"New highways always result in the establishment of new businesses. Intensive industrial and commercial development accompanies the construction of controlled-access highways, such as those that will comprise a large part of the completed Interstate System.

"We cannot depend on the roads of yesterday to carry the motor traffic of today and tomorrow. Fortunately, we have a highway construction industry capable of carrying out this expanded program—promptly, efficiently, economically. We have in my own State—and I know in other States—a highway department that understands how to get the job done. We are on our way with a king-sized road construction program that will benefit all the people of the United States."

Interestingly enough, within weeks of that statement the first interstate construction contract was let for Interstate 70 in St. Charles County, Mo. And not surprisingly, to those who know him, the chief engineer who was ready and eager to get on with that job was Rex M. Whitton.

This is the first highway dedication I have participated in since I became Secretary of Commerce, and I think it's most appropriate that the ceremony is for a highway in Missouri. Rex Whitton was born and educated in Missouri, and began his professional career in the Missouri State Highway Department 45 years ago. I might add that he literally got in on the ground level, as a member of a survey party. It was also in Missouri that he met his wife, Callie Maud.

The qualities of character and intellect that Rex Whitton has drawn from the soil of Missouri have served him well in his present job as Federal Highway Administrator. They have also served the Nation well. Coordinating this vast, national undertaking demands commonsense, hard knowledge, the ability to reason together with other people, and a certain amount of sincere skepticism. Rex Whitton brought just the right balance of these qualities from Missouri to the Nation's Capital, and the Interstate Highway System is all the better for it.

Rex Whitton's career, spanning State and Federal service, reminds us of the real key to the success of the Federal-aid highway program, and that is State and Federal cooperation. As President Johnson has put it: "Today, as never before, the Federal, State, and local governments are working together to meet the highway needs of this Nation on wheels."

This partnership of governments embarked on the largest peacetime public works program in history 9 years ago. Let us take this occasion to see how far we have come.

Since 1956, interstate work costing $23.3 billion has been completed or undertaken, with the Federal Government paying 90 percent. Some 19,729 miles of the Interstate System now are open to traffic. Another 6,210 miles are under construction, and about 11,678 miles are in the engineering and right-of-way stage. So, according to most measures that can be used, the interstate program is on schedule.

During this same period, since 1956, progress also has been made on improving our primary and secondary roads—that is, our basic highway network on which Federal aid is on a 50–50 matching basis. Improvement or new construction has been completed or undertaken on 208,000 miles of the primary and secondary systems, at a total cost of nearly $19 billion.

Think of where we would be, for instance, if we had not put $42 billion into Federal-aid highways since 1956. During these 9 years of accelerated construction, the number of licensed drivers has increased 30 percent, the number of vehicles 38 percent, and the vehicle mileage 38½ percent.

The outlook for the coming decade is equally impressive. Today we have 100 million drivers and 90 million vehicles, traveling 870 billion vehicle miles a year. In 1975, it is predicted we will have over 125 million drivers and 116 million vehicles, traveling more than a trillion miles a year.

It is obvious that we must think big if we are to meet our responsibilities for the Nation's economic and social progress. We need not be timid in this task, for our highways are part of the fabric of a dynamic and powerful economy. It is an economy powered by research, by technical progress, by innovations in marketing and distribution, and by free and vigorous competition.

It has a giant's strength. The new thing is that we are learning better how to utilize and balance that power, so that we can move forward with sustained speed and drive.

It is an economy that meshes together all the productive elements of our society—business, labor, the professions, agriculture, and Government—in a dynamic balance of forces. To operate at maximum efficiency, this economy must have a first-rate transportation system, and I think it will have, because it has the ability, the resources and the will to meet its needs.

I have been talking about how highway improvements serve the Nation, but there are many direct benefits accruing to the individual highway user. These are the savings in travel time, in operating costs, in accident costs, and in comfort and convenience that mean dollars and cents to the motorist or the trucker.

It has been estimated by the Bureau of Public Roads that these benefits resulting from use of the Interstate System now open to traffic will save the users $3.4 billion during 1965. And that is more than the Federal and State Governments are spending on the interstate this year.

What is more, the Bureau's study indicates that user benefits will total $11 billion annually after the Interstate System is fully open. At this rate, users would recapture their entire investment in the system—which is expected to cost $46.8 billion—in a short period of years.

It is evident that highway users, who pay for highway improvements through special taxes, derive substantial dividends in direct benefits.

But an even more important benefit is the saving in lives and disabling injuries. Studies show that the Interstate Highways are two to three times safer than conventional roads. They show that this year alone 3,500 persons will survive who would have been killed if they had been forced to travel on conventional roads. It is estimated that 8,000 lives a year will be saved when the entire system is completed. So, for every 5 miles that are completed on the interstate, we will save, on the average, one more life a year.

The importance of this safety dividend cannot be overstated. The recent increases in our traffic death toll have shocked many Americans and have prompted justifiable demands that more be done to reduce this intolerable waste of our human resources. The record loss of 47,700 lives in traffic accidents last year and the prospect of even more deaths this year speak for themselves with compelling urgency.

There is, of course, no single answer to our traffic safety problem. But some of the most productive approaches lie within the scope of the highway engineer. And I want to commend the engineers for doing something about safety, while many others just talk about it. The Interstate System is the best illustration of how safety can be engineered into a highway to help all drivers avoid accidents.

Following the same approach, much can be done to rebuild more safety into our less modern roads. We need to make a really substantial effort to apply the knowledge we already have to eliminate the hazards that jeopardize the motorist on our existing roads.

As you may know, I have orders from President Johnson to encourage and assist the State and local governments in this undertaking through the Federal-aid highway program. About 350 such spot improvement projects have been initiated nationally since this program was launched in April, 1964. But we need to double and redouble our efforts, in view of the proven value of these improvements in reducing accidents.

Missouri, I am happy to report, topped all the States in the number of projects scheduled during the first year of the program, with 28 projects at a total estimated cost of $2 million.

Meanwhile, we must look for new answers to the safety problem, and the Bureau of Public Roads is now engaged in an expanded safety research and development program, the objective of which is to find new ways to help all drivers in this demanding job of operating a motor vehicle safely. The Bureau is seeking the cooperation of all the States in applying some of their Federal-aid research and planning funds to this endeavor.

Highway safety is, of course, primarily a State responsibility. Congress recently expressed its desire that all States adopt comprehensive safety programs, and designated the Secretary of Commerce to formulate standards for such programs. I am confident that all States share the concern of Congress over improving our safety record, and I look forward to cooperating with Missouri and the other States in this effort.

The increasing preoccupation with highway safety is an indication of the preeminent role of the motor vehicle in our lives, as individuals and as a Nation.

We spend a sizable part of our daily lives on the road. Just consider these facts: 82 percent of commuting workers use automobiles as their means of transport; 82 percent of vacationers use their own car for transportation; 89 percent of all travelers use automobiles for out-of-town trips; 78 percent of all families own automobiles, and 23 percent of these have more than one automobile.

In addition to our dependence on highways for transportation, a large number of us depend on them for a livelihood. Highway transportation accounts for one of every six businesses and one of every seven jobs in the United States.

Along with the awareness of the vital role of highway transportation have come changing concepts of how highways can best serve the Nation's economic and social interests.

Highway engineers are responding to these changes. While still recognizing that the basic function of our roads and streets is the transportation of people and goods, they are giving increased attention to the esthetic, cultural, historical, recreational, and social values so important to our way of life.

The fact is that much of what we see of our country we see from the highway. Recognition of this led President Johnson to initiate his highway beautification program. It is obvious from the warm response to his program throughout the country that many persons are concerned about the ugliness that too often blights our roadsides, and they welcome the President's leadership.

By carrying out his program we can do much to restore, preserve, and enhance the natural beauty of our country. We can provide attractive landscaping, control billboards, screen or remove junkyards and other unsightly areas, and add new rest areas and scenic viewpoints along our major highways.

The support highway builders have given this program is most gratifying. On Missouri's Interstate 70, for instance, two landscaping projects have been completed, one in St. Louis and one in Kansas City, and another is now underway in Jackson County. And I understand that Missouri has more than 30 interstate rest areas now in planning, with some under construction.

Related to this effort to make the time we spend on highways more pleasant and more rewarding is the growing interest in scenic and recreational roads. After all, driving for pleasure is America's favorite form of outdoor recreation. It accounts for 34 percent of all automobile travel.

To find ways to meet the desires of our people for better access to scenic and recreational areas and more enjoyable motoring, a scenic roads and parkways study now is being completed in the Department of Commerce. It will soon be submitted to the Recreation Advisory Council, which is a Cabinet-level group reporting to the President, and may form the basis for legislative recommendations next year.

This study is bringing together the proposals of each of the States and blending them into a potential national program.

I stressed earlier the vital contribution of Federal-State-local cooperation in meeting the challenges of highway transportation. Cooperation has been and continues to be a prime requirement in providing this Nation with the best highways in the world. It is a key element in solving the problems of highway safety, and of our congested urban areas. It enables us to satisfy the public desire for highway beautification and for recreational and scenic roads. And cooperation is just as essential in planning ahead for the future of highway transportation.

Even today, while we are engaged in an unprecedented roadbuilding program, we must look to the years beyond the completion of the Interstate System. Our dynamic society, and our equally dynamic economy, will not stand still. To fail to anticipate our needs would be an invitation to economic chaos and disaster.

In planning for the future we must consider every possible mode of conveyance of people and goods, particularly in our urban areas. Highways must be viewed as part of the total transportation system. But while they are not the sole answer, they undoubtedly will continue to fill the major role in serving our total needs.

It is important that we get together at all levels of government and take stock of the highway needs that can be anticipated after the present interstate program is concluded. This we are now doing. Under the Bureau of Public Roads, a continuing nationwide study of prospective highway needs for 20 years in the future is now underway. Information for this study is being gathered by the State highway departments in cooperation with city and county governments.

All types of roads and streets, regardless of their classification as Federal-aid, State or local, are being included in the study, making it the most comprehensive analysis of highway needs ever undertaken. And a special analysis is planned for urban areas, where the needs are most critical.

Congress has asked for the first report on this study in 1968, so that it can provide for a continuing program that can be carried on without delay after 1972.

At the same time, the Commerce Department and the Bureau of Public Roads are conducting long-range research into possible technological developments in order to anticipate changes in vehicles, highways, or individual transportation systems generally.

On this occasion, when we look back with pride on what we have accomplished, and as we look ahead with confidence that we can meet the challenges of the future, we are doing honor to our country—for Interstate 70 is a monument to our system of government, and a testimonial to our vigorous free-enterprise economy working within that system.

This system of government and our free enterprise economy have given America great power and world leadership. And they give us the confidence to lift our eyes to new horizons, to plan and build a better world for ourselves and our children.

Interstate 70 is a major contribution to this better world. May it serve you well.

ATHENS' BILL KUGLE VISITS GUADALUPE MOUNTAINS, WRITES OF BEAUTIES AS A NATIONAL PARK

Mr. YARBOROUGH. Mr. President, in urging that the Guadalupe Mountains in west Texas be made a national park, I have found it difficult to do justice to this beautiful region with verbal description. My task is lightened somewhat by a recent article which appeared in the Athens (Tex.) Daily Review of Thursday, September 16, 1965, entitled "Guadalupe Trail Ride Thrills Athens Family."

This article was written by Athens Attorney Bill Kugle who rode through the mountains with his family last Labor Day weekend. His accurate descriptions of the beauties and interests which are held captive by the Guadalupe Mountain area are enough to convince everyone of the necessity for this area to become a national park.

To illustrate the wondrous attractions of the Guadalupe Mountains, I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUADALUPE TRAIL RIDE THRILLS ATHENS FAMILY

(By Bill Kugle)

The 72,000-acre Guadalupe Mountain Ranch owned by J. C. Hunter, Jr., of Abilene, will very probably become a national park within the next year or two. The sooner the better because this is beyond any question the most beautiful and exciting area I have ever seen. I have been in every corner of Texas including the Big Bend and in my opinion the Guadalupe Mountains are without parallel. I have gone through the canyons of the Big Bend in a rubber boat, but crossing the Guadalupes on horseback was the high point in my life.

My family and I, together with Senator Don Kennard and family, were the recipients of an invitation from J. C. Hunter, Jr., to visit the ranch over the Labor Day weekend. We were accompanied by Wayne Brown, news cameraman from channel 5 in Fort Worth, who filmed the ride over the mountains for use on the Texas news.

The ranch lies in Culberson County on the New Mexico border. The traveler on the highway between El Paso and Carlsbad is treated to a view of El Capitan, the sheer 8,000-foot cliff which is the end of the Guadalupe Range. Just beyond El Capitan from the highway is Guadalupe Peak, the highest point in Texas at 8,751 feet.

Hunter's lodge, where we stayed, is at the lower end of McKittrick Canyon. The ranch headquarters is about 15 miles away just below Guadalupe Peak. We arrived at noon on Friday and were greeted by Hunter and his foreman, Noel Kincaid. Kincaid, who is in his forties, was born and has lived his life in the Guadalupes. He also is justice of the peace in the precinct in which the ranch lies. There are approximately 50 voters in the precinct. Kincaid was elected by write-in about 10 years ago and his constituents will not let him retire. Recently Supreme Court Justice William Douglas visited the ranch and there was much comment about having two Justices—Kincaid and Douglas—present.

After lunch, Hunter led us all on a hike up McKittrick Canyon. The canyon is indescribably beautiful and there flows therein the only trout stream in Texas. The rainbow trout were plainly visible along the hike. The canyon has been maintained in an unspoiled condition. No stock has been permitted to graze there. The hike became strenuous at times and the wives were ready to turn back after a 2-mile climb up the canyon. We arrived back at the lodge where Kincaid had prepared an excellent meal, including bread which he had baked. I got his recipe together with a starter for sourdough pancakes. Hunter said the sourdough starter was more than 80 years old and had come from Alaska. If you know anything about sourdough pancakes then you know that without the right starter you are wasting your time. Hunter told us about a newspaper man from Houston who visited the ranch and left with a small jar of starter. He was traveling by bus and the bus broke down close to Van Horn. The weather was warm and the starter got to smelling so strong that everybody on the bus started complaining. The driver thought there was a dead body on the bus and commenced looking for it. Finally it got so bad the newspaperman smuggled the sourdough starter off the bus and hid it behind a sign.

We were treated to sourdough pancakes a la Hunter the following morning and they were great. After breakfast Hunter, Kennard, Brown, and my daughter Kandy and I left by pickup for the ranch headquarters where Kincaid was waiting with the horses. Hunter had said the ride was too dangerous for women or children, but Kennard persuaded him to let Kandy go, assuring him that she was a better rider than the rest of us. En route to the ranchhouse we stopped several times to photograph mule deer and wild turkey. We got away about 8 a.m., with Kincaid leading the way on a mule named Wino. Brown rode a mule and the rest of us rode horses. I rode a grey horse named Bandito and I learned to love him. After he got me down off the mountain alive I hugged his neck. I wished there were something nice I could do for him.

For 2 hours we climbed the mountain via a canyon which slashes into the range between Guadalupe Peak and Pine Top. I would not have believed that horses could have climbed straight up a canyon wall if I had not seen it. Only horses raised in the mountains can do it. It readily became apparent that our lives were in the hands (or more correctly the feet) of our horses. If they hadn't known their business we would have toppled off the canyon wall to extinction. After reaching Pine Top, we stopped and took pictures. If the pictures are good I will have some priceless movies and photographs. From Pine Top the Davis Mountains, 200 miles to the south, are visible. During the 2-hour climb to the top of the mountain it was necessary to rest the horses every few minutes. We gave them a good rest on top and rested ourselves as well before continuing. At this point we were over 8,000 feet high and had an excellent view of Guadalupe Peak just across the canyon. I assumed the worst part of the trip was over after reaching the top, as my heart had been

in my throat most of the way up. There were countless places on the climb where the slightest misstep would have sent horse and rider over the side into the canyon. Little did I know that the ascent had been childsplay compared to what was to come.

From Pine Top we descended a few hundred feet to what is known as the bowl. The bowl is actually a bowl-shaped area within the mountains, with the rim of the bowl being the mountain ridges. The bowl is a wonderland of lush vegetation, including Ponderosa pine, madrones, ash, alligator juniper, weeping juniper, etc. It shelters the only herd of elk in Texas. We saw elk on two occasions. The first time Kandy and Kincaid saw seven at very close range. The rest of us were playing with a porcupine and missed this bunch, but later we saw two enormous bull elks at some distance. We were able to watch them for several minutes. We saw mule deer at practically every turn. Kincaid caught a fawn and Kandy held it while we took her picture. We then took movies of the fawn running away.

Words fail me in describing the bowl. One writer who had been there called it a Shangri La and this term is not inaccurate. It is almost inconceivable that these rugged mountains could conceal such incredible beauty. The ride through the bowl was extremely pleasant. The terrain was smooth and not rocky. It was possible to relax and absorb the beauty of it all.

When this area becomes a national park many people will have an opportunity to see it, but I think it will always be a considerable undertaking to get there. Even when the Park Service constructs a footpath up the mountain, it will be a tough climb. I hope that no one ever succeeds in getting a motor vehicle into the bowl as it should never be defiled by a gasoline monster.

Noel Kincaid showed me a site where a B–29 crashed during the war. We didn't actually visit the spot of the crash which was across a canyon from us. Parts of the plane were visible however. The plane crashed while there was snow on the mountains. Five months later in the spring of 1944 Kincaid brought the five bodies out on horseback. Altogether Noel has packed 13 bodies—all victims of plane crashes—out of the mountains.

We ate lunch in the bowl at a place where Noel and Hunter had once made a camp with a tent. A bear had torn the camp all to pieces, ripping the tent to shreds. Noel had set a trap for the bear and I almost sat down in it before he caught me. I doubt that having my posterior caught in a bear trap would have enhanced my enjoyment of the trip.

On the far side of the bowl we began to climb again onto the north rim of McKittrick Canyon. After climbing to a point from which we could see a great part of New Mexico, we descended again into a saddle which led into a peak from which we could see the top of the lodge about 2,500 feet below. The descent into the saddle was the most frightening part of the trip. We descended along a sheer wall where there was no obvious trail. The horses seemed to be doing a human fly act. As we got down onto the wall it appeared that there was a trail of sorts which switched abruptly back and forth across the canyon wall. The horses would stop abruptly with their heads hanging over space and pivot on the switchback trail so that their rumps would then be hanging over space. I wanted some movies badly but I was afraid to reach into my saddle bag for fear that my slightest movement might send my horse and me plunging through 2,000 feet of space. The horses proved themselves. They never faltered and this is why I said earlier that I learned to love Bandito. But the animals are not infallible. Kincaid and Hunter told us about a mule falling off this trail some months before. Fortunately no rider was on the mule at the time. Miraculously the mule survived. Noel crawled down several hundred feet to where the mule had stopped rolling to cut the saddle off. When Noel got there the mule was standing up—very sore and missing most of his hide, but nevertheless alive.

As we crossed the saddle we were on a narrow ridge across space from which we could look down on both sides for 2,500 feet. At this point Hunter told Kandy that the worst was yet to come. He was joking. The worst was over. Later that night back at the lodge, Kandy told me she felt like crying when Hunter told her the worst was to come. If I had heard him I am sure I would have cried. I have made parachute jumps and shot rapids in small rubber boats along with a few other exciting things, but this ride across the mountains was the ultimate thrill for me.

We then began a slow descent into the canyon. From the time we spotted the top of the lodge the descent took 2 hours. At one point Hunter instructed us to get off and lead our horses. The trail along the canyon wall had been made by laying a pine log from one rock to another and filling in the space with gravel. The pine log had been there for 30 years or so and was due to rot out. When it does a horse is going over the side—or perhaps the man leading the horse. It held this time. Incidentally, this trail was first made by a cowboy named Jess Parris, who worked for Hunter's father many years ago. The ranch was first acquired by J. C. Hunter, Sr., in 1927. Hunter told me that no more than 25 people have made this trip since Jess Parris made the trail. We counted ourselves fortunate indeed to be among the 25. I told Kandy that I had lived 40 years to make a ride like this and that she was indeed fortunate to do it at age 17.

We were in the saddle about 8 hours and covered the longest 15 miles I ever traveled.

I have said that this area will become a national park soon. Bills are pending in the House and Senate to accomplish this purpose. The Senate Committee on the Interior recently acted favorably on the bill. Senator YARBOROUGH strongly favors it and is the sponsor in the Senate. Senator Kennard was the sponsor of a successful resolution in the State senate which put the State of Texas on record in favor of the project. J. C. Hunter, Jr., has given complete cooperation to the Department of Interior since this Department became interested several years ago. He has expressed his willingness to sell the land to the Government at an extremely reasonable price. Hunter is a conservationist who genuinely wants to share this wonderland with the public, while being certain that it will truly be conserved. Hunter is a true gentleman in every respect. Kennard and I agreed that you couldn't search the world over and find two better fellows to go over the mountain with than Hunter and Kincaid.

THIRTY-THIRD ANNUAL KFEIRIAN BROTHERHOOD REUNION

Mr. BYRD of West Virginia. Mr. President, on September 4, 5, and 6, 1965, the Kfeirian Reunion was held in Beckley, W. Va. I was present at the grand banquet in the Beckley Hotel ballroom on Sunday evening, September 5, when Gov. Hulett C. Smith, of West Virginia, spoke to the descendants of the Lebanese immigrants to the United States who were present for the 33d annual Kfeirian Brotherhood Reunion. I was pleased to be able to add my own congratulatory remarks to those of Governor Smith.

The Lebanese migration to the United States began in the middle of the 19th century when the pressure of population on resources forced the people to seek new places in which they could earn a living and care for their families. The influx to this country had its high point from the 1890's to World War I. As of 1960, there were 400,000 people of Lebanese extraction in this country—more here than anywhere else in the world outside Lebanon. According to Philip K. Hitti in his treatise, A Short History of Lebanon, "Not only did the Lebanese discover America but they sold it to the rest of the Arab world and supplied it with the largest contingent of emigrants."

While most emigrants left Lebanon with the intention of later returning home, they have actually stayed in large part and provided many well-known and outstanding citizens to this country. Examples are the comedian Danny Thomas, the famed heart surgeon, Dr. Michel DeBakey, who appeared on the May 28, 1965, cover of Time, Najeeb Halaby, who is noted for his Government service, and another noted surgeon, Georges Hayek; and many Americans have read the world famous book, the Prophet, by the native Lebanese Kahlil Jibran.

Although they are credited with assimilating easily into the American community, the Lebanese did bring many of their old ways with them, especially in cuisine, religion, et cetera. Some of the oldest papers established for the Lebanese-American community are still in operation in Arabic. Most of the immigrants were Maronite Christians.

The Lebanese have mainly settled in urban areas. The largest concentrations are in New York, Detroit, Boston, Philadelphia, Pittsburgh, St. Louis, San Francisco, and Los Angeles. However, they are settled in all parts of the country, and West Virginia has a large, progressive group of citizens of Lebanese extraction.

The village of Kfeir is located in southern Lebanon very near the Syrian border. It was in Syria during the days of the French Mandate, but was placed in Lebanon when the present borders were established during the Second World War. It is the birthplace of the noted Arab statesman, Faris al-Khouri, and his brother, Fayez, who was once ambassador to the United States and to the U.N. While Syria claims that Faris al-Khouri was a Syrian, Lebanon claims him because of the present location of Kfeir.

Included in the program of the 33d annual Kfeirian Reunion was a statement on the activities sponsored by the Kfeirian Brotherhood, prepared by Mr. Sol N. Steffan of Williamson, W. Va., "Kfeirians—Look Forward."

I ask unanimous consent to have it printed in the RECORD together with a copy of the remarks by Governor Smith.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

KFEIRIANS—LOOK FORWARD

(By Sol N. Steffan, Williamson, W. Va.)

Thirty-three years ago, the Kfeirian Reunion was founded for the purpose of getting acquainted and meeting old friends, and that our children who were born under the skies of liberty will know each other, particularly

their genealogy and where they came from. Membership in the reunion is for immigrants from Kfeir, Lebanon, and their descendants by blood or marriage. There are no dues whatsoever other than volunteer contributions.

The following projects were accomplished by the reunion:

A water system in the Kfeir.

An electrical system in the Kfeir.

A road leading to the Kfeir.

A junior college was also established, in addition to material assistance.

All this was done by having assembled for 2 enjoyable days, with one another annually.

Incidentally, few other individuals contributed to Kfeir because of the existence of the foundation, such as a city hall building, house to the church, church improvements, and so forth. Also it is a known fact that the foundation has no organized club officially in Kfeir to communicate with. At the present time, the foundation does not respond to individual requests. A request must be made collectively by an official club or organization.

In 1948 the reunion became a foundation under the laws of the State of Ohio. It is a nonprofit organization for the purpose of rendering assistance to Kfeirians wherever they may be, after which a scholarship fund was established.

Now, we the "oldtimers" of the reunion pray and hope that the Kfeirian descendants, particularly the native born will support and activate this foundation for the purposes intended as prescribed by its bylaws—looking forward to improve the education, the cultural, and the fellowship tie which makes us all progressive citizens of our democracy.

The foundation's success in the future depends largely on the descendants of the Kfeirians—and remember that your genealogy will lead you back to the Phoenician ancestry which you should always be proud of.

We should be thankful to God that we are Americans, and able to organize for the betterment of ourselves in this great democracy of ours.

Always believe we have seen the past. We know today, and have no fear of tomorrow—because yesterday is but a dream and tomorrow is hope. But today well lived will make yesterday a dream of happiness and tomorrow a hope of reality.

Look forward—Kfeirians.

EXCERPTS OF REMARKS BY GOV. HULETT C. SMITH, 33D ANNUAL KFIERIAN REUNION, BECKLEY, W. VA., SEPTEMBER 5, 1965

It's a real honor to be here with his Eminence (Most Rev. Antony Bashir, archbishop), and to be able to talk with him about his diocese, and the area that it covers, and the efforts that are being made by all of you in the areas of education and better understanding.

Then, of course, it's an honor to be on the same platform with our distinguished Senator from Raleigh County, and Senator from West Virginia, who has made such a wonderful name for himself and put our State on the map—Senator BYRD. BOB and I have been friends for many years, and to have followed his career as many of you have, is a real tribute to one whom you could point to as being very, very successful in his endeavors, and in his interest in the people of West Virginia. And I'm just delighted to be here with Senator and Mrs. Byrd tonight.

But tonight, I could not help but think that perhaps this is not necessarily the occasion for pleasantry. Because tonight, this reunion, which attracted people to West Virginia (for a homecoming perhaps, as a get-together from all parts of this Nation—from South Dakota, and California, and Michigan, and Ohio, and New York, as well as our sister States and West Virginia)—helps us to face the facts; the fact that we are getting older.

We have seen the world around us for many years, watching it develop and watching it change.

And those in this room, as well as myself, have seen the changes of the past 30 years: a hopelessness of a depression, the problems of war, whether it be a hot war, or a cold war; the development of atomic power; the spirit of West Virginia, a State that was determined to get on the move again—and the spirit of West Virginians, as they came off the flat of their backs, having been knocked there by automation, and the decline in the coal industries and many of the State's industries—to recover economically—and so greatly—within a period of 5 years.

This is a State of West Virginians determined that this State will move again. We've all seen these things—and we've seen these rapidly moving times. Honestly, to keep pace with them sometimes taxes the brain.

I was wondering the other day, as I thought about it—do you realize that in the Gemini 4 shot, Major White walked across this Nation in a matter of 18 minutes? Actually, when he was out of the space capsule, he was walking—and he walked from Catalina Island to the Bahamas in 18 minutes.

You put things of this world, changing so rapidly, into the perspective of walking, and somehow or another the mass of change and speed of change facing this Nation comes home a little more strongly than it would otherwise.

And we recognize the fact that sometime next year, this Nation will probably launch a Saturn booster with an Apollo capsule—and that booster is as tall as the Washington Monument. This, somehow, makes you dwarfed in your thinking.

But yet, along with all of these things, we have seen that to keep pace is our job. And it was learned that it is necessary for us to keep in touch with whatever small incident might occur, in such a small country as Lebanon, or any other small county—and how it can change the course of history.

Here, in West Virginia, we saw how it occurred in the battle of Point Pleasant. It changed the course of this Nation.

It occurred when Henry Ford had his first automobile to move, and he recognized the fact that this was a vehicle that should be available to everyone in this country, and in the world—and with that, this country changed.

It changed in this world, when someone decided that it wasn't necessary to defend the Rhine—or that we could be better served by abandoning Czechoslovakia.

It happened, too, when Einstein put the finishing touches on his formula; his equation.

And this same fact is happening in this world today, in the small, yet large, country of Vietnam. This one small nation, if it were placed on the map of the United States, might extend from Washington or Baltimore to the tip of Florida. Yet located far away, it can and has become one of the most important battlegrounds for freedom in our generation.

A mother in Pleasantville, N.Y., recently sent President Johnson a letter from her son that he had written her from Vietnam.

He said it was "maddening" for the troops to come in from battle and hear the cries of protest—marches by modern-day beatniks, in protest of the Vietnam policy of this country. And he wrote his mother and said, "It's easy to sit in front of the ol' TV, and say to hell with Vietnam, but then," he said, "I don't think that anyone over here feels that way. And it's disheartening to know so many back home do."

"If we say to hell with Vietnam," he wrote, "we might as well say to hell with southeast Asia, Europe, Africa, and then, maybe, to hell with freedom."

That GI—in typical GI language—has illustrated in his own way, the importance of our role in Vietnam today.

That war is not our war, to be sure. It is guided by North Vietnam, and is spurred on by Communist China.

But if it is not our war, then why are we there?

We're there, because as President Johnson has said, "we have a promise to keep." And since 1954, every American President has pledged this country's support to the people of Vietnam, and that support has but one goal: to help South Vietnam defend its independence.

And that's the same goal we've had in Europe; the same goal that this Nation has always expressed: to help man attain his inalienable rights.

We don't want things for ourselves; we just want freedom for all men, whether they be in Vietnam or East Liverpool, Ohio. And we want this without bullying tactics by Communists; without kidnaping by Communists; without threats by Communists; and without murder by Communists.

This Nation has learned a lot by bitter experience; this world has learned a lot. It has learned, because we did not halt the march of Hitler, the march of Hirohito, the march of Mussolini, in time. We must not fail to halt the march of Ho Chi-Minh and Mao Tse-tung.

If the United States does not or will not join in the effort to save South Vietnam today, then basically no nation, European or Asian, would again feel safe by putting its faith in the United States.

And this would be the greatest calamity of our times, because it would only be a matter of time before we would see southeast Asia fall completely under Communist domination.

And it's a threat to every man, woman, and child in the United States, just as much as it is a threat to the people of South Vietnam.

As President Johnson has said, "Our power is the shield"—the shield for America.

Many have said we should withdraw. This would bring neither peace nor victory. But it would bring about a serious shift in the balance of world power—a shift against the interest of the free world—a shift that President Kennedy, in the determination of October of 1962, prevented with the Cuban quarantine.

There's a great deal at stake in this war, and no matter what anyone says, it's important to everyone in this room—particularly at a meeting dedicated to youth—to think what we could bring upon ourselves by failing to live up to our obligations.

So, where do we go from here?

There is only one path to take—the path for reasonable men. That is, to determine and bring about as best as possible and as quickly as possible a peaceful settlement, and one that can only come about when the Communists know, as we do, that a violent settlement will be impossible. Then, the peaceful solution is going to be inevitable.

Recently at the White House, President Johnson told us, when the Governors were gathered there, that America is willing at any time to go from the battlefield to the conference table, and begin unconditional talks with any government on the matter of Vietnam.

At that time, 15 efforts had already been initiated. And for 15 times, "No" had been the answer.

Yet, as the President has said, "we shall persist," and we shall bring about the end of this dreadful war.

You may wonder why I chose to speak to you on such a subject quite so serious as Vietnam.

The answer is obvious, if you'll just think about it. We as West Virginians, and you

as our guests from out-of-State, have seen those fighting men go off before. At this very moment, West Virginians are fighting in South Vietnam. We have had our tragedies in the State, and many of you from other States have seen it also.

Yet, we in West Virginia must recognize that these young are not suffering alone. They want us to know why we are fighting as the battle rages on, and as tiny Vietnam goes on through its time of trial, we must recognize that these men are fighting for us—and for our freedom—and for the freedom of the world—and for the freedom of the youth to which this program is dedicated.

This generation has a choice. It has a choice to destroy or build—kill or aid—hate or understand—and through understanding, bring about peace, and recognize the true meaning of the phrase that we've all been taught for so long, "Love thy neighbor as thyself.'

We can do all these things on a scale never dreamed of before: We can either destroy or build; kill or aid; hate or understand, on the same scale that we can build a rocket—or send a rocket to the moon—or photograph pictures of Mars, and transmit them back by means of computers.

We recognize that this Nation has the power and the ability to do all of these things. But sometimes we fail to recognize that this Nation also has the future and the ability and the strength to bring about peace in the world, and to determine—through our own actions—to lead this world on a course of understanding and love for our neighbors.

I know how this Nation shall choose—and so do you.

We will choose to understand, and to fight for peace.

And as we do so, we'll rededicate this meeting to the youth—and our lives to our young people—so that they, too, will enjoy the fruits and benefits of a young nation, and will be able to come home—as Senator BYRD has said—to friends.

THE OPERATIONS OF THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. MUSKIE. Mr. President, the Office of Economic Opportunity, somewhat in the manner of Caesar, frequently finds its shortcomings very much alive in the front page headlines, while the good it does is interred in fine print on the back pages.

In the past few days, I have received a letter from a young participant in the work-study program at the University of Maine, and a newspaper clipping from Bridgton, Maine, listing the astounding number of projects completed over the summer months by the community's Neighborhood Youth Corps.

Both are eloquent testimony to the good that OEO programs are doing. And I am confident that this good will survive in the full, productive lives which OEO programs have opened to so many of our young people.

I ask unanimous consent that the letter from Mr. John M. Gooding and the article from the September 9 Bridgton News be printed in the RECORD.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

BANGOR, MAINE,
September 11, 1965.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: My name is John Gooding and I am a sophomore at the University of Maine. I have been employed on the work-study program, of the Office of Economic Opportunity, since it was established at the university in February of this year. Knowing you were influential in setting the work-study program up, I wanted to report to you just how this thing is working out from the grassroots level.

First off let me explain a little about my background. I am a native of Bangor, 22 years old, ex-Marine, self-supporting, and am going to study medicine after the University of Maine (also must brag and tell that I am a dean's list student). When I started school last fall, I was employed part time at the Y.M.C.A. in Bangor as a physical instructor. As the Y could only allot so much money in funds for employees, my time working there, for the most part, was spent instructing businessmen's classes. However, I did have a few youth groups for gym and swim classes.

At that time, I was the only other physical department employee, other than John Coombs who heads up the whole department. The classes we had were about 60 to 70 boys, ranging from 8 to 12 years of age. With just the two of us, it was more or less a wild scramble, almost out of control, but at least the boys were having fun and burning off energy. All this time, with what the Y could afford to pay me, I was just barely able to survive. When the university set up the work-study program in February, we added about a half dozen students from the university to the physical department and about 15 or 20 to neighborhood youth clubs. With the extra help, we were able to expand our programs, do better things, accomplish a lot more with the boys, get to know them personally, and get to know their problems. We were also able to add more boys to the programs. I may add that although we had larger classes, we were organized by having ample staff. During my year of working at the Y, my grades were on a constant rise. Surprising as it seems, I was finding more time to study than before. Probably most important of all, I was achieving satisfaction from what I was doing. Here, I would like to point out that having met the qualifications for the work-study program, I was able to make more pay each week and not have to worry over financial matters.

My work has shown to me the need of this type of program. Not only to help the students, but to help the community as well.

I was greatly surprised to uncover so much poverty especially in this area which I always thought to be only in the South. The boys I have at the Y are so much in need of its activities. By just observing a boy for a period of time I can tell what he would be missing in his growing years if he didn't have this type of activity and most of all, a "big friend's" companionship and understanding. This is probably the most important factor in solving 99 percent of their problems.

This summer I was working for the National Park Service at Acadia, under the work-study program. Although there was quite a bit of difficulty in administrative matters, it worked out pretty well on the whole. I believe there was some trouble in getting the 10 percent of our wages from the Department of the Interior, anyway the student aid department at the university put up the money for the National Park Service. I believe that this should not have to be a recurring thing.

Sincerely yours,

JOHN M. GOODING.

[From the Bridgton (Maine) News, Sept. 9, 1965]

NEIGHBORHOOD YOUTH CORPS COMPLETES SUMMER PROJECTS

Principal Fred M. Crouse, of Bridgton High School, who has been supervisor of the Neighborhood Youth Corps program in Bridgton for 8 weeks this summer, reports on work accomplished under the program which was made possible by the Economic Opportunity Act.

Fourteen boys and six girls participated in this program which provided work and experience in training projects suitable to their needs, abilities and skills. The purpose also was to assist the participants through improved attitudes, skills, and finances, and to provide an opportunity to pursue further education and/or to become improved potential employees.

Mr. Crouse reports that "generally speaking the program was very worthwhile and accomplished the established goals and the town of Bridgton also benefited indirectly."

Community projects accomplished are listed completely by the News, in order to inform the public of the wide scope of the local program and extensive work accomplished:

MALE ENROLLEES

I—High school building

Scraped, brushed and painted all wood and metal surfaces on the outside of building. Glazed all sash, using 30 pounds of glazing compound. Used 20 gallons of paint.

Scraped, brushed, painted and cleaned all storm windows.

Cleaned all glass, both inside and outside in the building.

Scraped, brushed and applied two coats of paint to corridor ceiling and walls.

Removed unused radiator and piping.

Constructed and erected 40 feet of cork bulletin board for corridor walls.

Relocated plaque from boiler room wall to front corridor wall.

II—High school rooms

Principal's office: Constructed, painted and erected a 6-foot by 4-foot bulletin board.

Guidance office: Constructed, painted and erected two 6-foot by 4-foot bulletin boards. Constructed, painted and erected additional bookracks. Painted two walls.

School office: Constructed, painted and erected two bulletin boards. Painted two walls.

Faculty room: Constructed two inner walls, applied insulation and homosote. Constructed and erected a 7-foot by 4-foot bulletin board and a 3-foot by 3-foot chalk board. Painted all interior surfaces.

Boys' basement: Scraped, brushed and painted all surfaces including stalls.

Girls' basement: Scraped, brushed and painted all surfaces including stalls.

Room 102: Refinished 45 desks. Sanded and applied two coats of paint and two coats of varnish to top of bookshelf. Constructed and finished shelves in room closet. (Refinishing desk includes sanding twice with rotating sander, once with vibrating sander, and hand sanding pencil trays; applying three coats of gym seal; rubbing with steel wool after first two coats, repairing and applying glides where needed and washing unfinished areas.)

Room 103: Same as 102 plus constructed and finished six storage boxes for audio-visual materials.

Room 106: (Industrial arts shop) Washed and sealed all concrete floor applying two coats of floor sealer.

Room 108: (Home economics) Sanded and applied two coats of paint and two coats of varnish to window stools.

Room 114: Refinished 35 desks. Painted two walls and mop board.

Room 115: Removed old blackout screens, removed boards and guides holding same: construc'ed additional window casings, installed two ventilators, painted all walls, ceilings, and mop boards.

Room 116: Painted entire interior except one wall.

Room 117: Constructed and installed a 16- by 4-foot and a 4- by 4-foot bulletin

board. Constructed chalk rails on chalk board. Constructed a small bookcase. Glued and repair 25 desks.

Room 117: Constructed a 16- by 4-foot bulletin board. Constructed and installed shelves in closet. Painted two walls and mop board. Refinished 32 desks.

Room 118: Relocated chalk board by constructing and erecting new frame on a different wall. Constructed and erected a 16- by 4-foot bulletin board. Constructed and installed shelves in closet. Painted two walls and mop board. Refinished 35 desks.

Room 119: Constructed, erected, and painted a 6- by 3-foot bulletin board.

Library: Constructed a 6- by 4-foot section of library shelves, constructed small bulletin board, painted all shelves and racks.

Storeroom: Constructed additional shelving.

III—Bridgeton High School Annex

Refinished 81 desks. Constructed and painted a 6- by 4-foot riser for music-room piano. Removed unused shelving in old industrial arts room for salvage lumber. Relocated in unused basement area many old desks and other junk. Repaired industrial arts lumber storage racks.

IV—Grandstand

Scraped, brushed, and painted both ends and one side of exterior. Painted interior of both locker rooms. Constructed and installed shelving in upper storage area, repaired, painted, and improved training table. Constructed additional shelves, and painted all benches. Painted and installed hooks. Cleaned, arranged, and properly stored all equipment and other items.

V—Elementary school

Cleaned all glass both inside and outside. Washed all walls and room furniture including desks, bookshelves, coat closets. Constructed and erected one 12-foot by 4-foot, two 16-foot by 4-foot, and one 3-foot by 3-foot cork bulletin boards. Constructed a 5-foot by 3-foot teacher's mailbox.

VI—Miscellaneous

Removed by hand all sod and soil adjacent to new part of high school building. Leveled and graded for surfacing.

Removed by hand all sod over a 1,000-square-foot walk area. Outlined and edged about 2,000-square feet of additional walk area. Leveled and graded for surfacing.

Pruned trees and removed all brush and other trash from grandstand to end of athletic field. Hauled away five dump truckloads of materials.

Pruned all trees, cut stumps, and removed all trash from woods area adjacent to athletic field and elementary school. Hauled to dump seven dump truck and three pickup truckloads of materials.

Renovated area south of high school building.

Hand-mowed area adjoining elementary school athletic fields and Route 302.

Hand-mowed Depot Street bank adjacent to annex.

Creosoted annex stairway.

Repaired high school baseball backstop and elementary school baseball backstop.

Painted teeter boards, constructed and painted swing seats from elementary school, primary A and primary B.

Painted and repaired 10 sections of outdoor bleachers.

Constructed and finished 8 saw horses; 2 library rolling book shelves; numerous tool, nail, and storage boxes.

Constructed and painted new box for oil storage pipes.

Placed sod and reseeded road areas adjacent to elementary school.

Scraped, graded and improved baseball diamond on high school renovated athletic field and elementary school athletic field.

Relocated fence posts adjacent to athletic field.

Constructed and erected additional goal posts on football field, relocated football field.

Constructed concrete base stop and replaced wooden steps and porch floor boards at primary B.

Leveled and graded areas adjacent to grandstand.

Repaired concession buildings.

Numerous other minor miscellaneous projects.

FEMALE ENROLLEES

Answered telephone, received and relayed messages.

Sorted and distributed mail.

Maintained individual daily, weekly, and cumulative time records for all enrollees.

Answered telephone and performed other routine tasks as substitute for superintendents' secretary while on vacation for 2 weeks.

Prepared weekly payrolls.

Itemized all bills and maintained a cumulative record of all supplies and equipment.

Typed and reproduced materials for teachers.

Reproduced materials for superintendents' secretary.

Supervised concession for enrollees.

Cleaned high school office, home economics and faculty rooms periodically.

Attended to all correspondence.

Checked, stamped and inventoried all shipments of books and school supplies.

Reproduced a year's supply of school forms.

Reproduced 15 copies of faculty handbook.

Typed and reproduced 100 copies of senior handbook.

Typed and reproduced 30 copies of student council guidelines.

Discarded unneeded permanent record information in files 1952 through 1964.

Revised nongraduate files and typed copies of all nongraduates.

Typed high school inventory of equipment.

Prepared and typed elementary school inventory of equipment.

Typed and reproduced 50 copies of high school rules and regulations.

Scored, prepared individual student profile sheets, typed and reproduced summaries of the following tests:

Eighth grade: 100 SRA reading record.

Freshmen: 95 SCAT tests and 45 mechanical aptitude tests.

Sophomore S: 80 step (math, science, social studies) and 80 English cooperative tests.

Juniors: 80 SCAT tests and 80 Kuder preference inventories.

Reorganized high school library by cataloging all (1,200) school library books. Prepared new accession book. Grouped all books under proper headings on shelves. Repaired old books and covered all new books.

Assisted foreign language teacher in preparing tapes for class instruction and use.

Recorded all rank information for 1964–65 school year on permanent records.

Filed all materials in filing system.

Went through the town clerk's records and prepared a list of all roads that were accepted or discontinued through the years.

Went through the town clerk's records and prepared a list of all ordinances that had been accepted.

Typed 2 and 3 copies of 150 pages of the historical society's history of Bridgton.

SURVEY INDICATES SHORTAGE OF COLLEGE TEACHERS, HIGHER EDUCATION BILL AIMS TO HELP RELIEVE DEFICIENCIES

Mr. YARBOROUGH. Mr. President, an informal survey made by the Woodrow Wilson National Fellowships Foundation indicates that colleges and universities all over the country are facing a shortage of teachers. In many instances, more and more college teaching is done by inexperienced graduate students.

Title VI of the higher education bill as passed by the Senate authorizes a program of matching grants to needy colleges to aid them in purchasing audio-visual and other types of classroom and laboratory equipment.

Educational research is constantly improving our teaching methods. These improved methods can make our teachers more effective. They can make learning more meaningful to the student. At the same time they can free the teacher to allow him to devote more time to individual students.

With our current teacher shortage, as indicated by the Wilson report, it is vital that we improve the effectiveness of the teachers we have. Many of these improved techniques involve the use of special equipment. The equipment is expensive and thus in many cases is beyond the reach of the colleges which need it most.

The purpose of title VI is to upgrade the quality of teaching in undergraduate instruction by aiding needy colleges to purchase this new equipment. In this sense it should have the same effect as title III of the National Defense Education Act of 1958, which for the past several years has assisted elementary and secondary schools in purchasing this equipment. Title III of the National Defense Education Act of 1958 has made a great impact upon elementary and secondary education, so much so that many students encounter a dropoff in the quality of teaching when they go from high school to college.

Mr. President, I sincerely hope that title VI of the Senate-passed higher education bill will be retained in conference.

I ask unanimous consent that a summary of the findings of the Woodrow Wilson Foundation survey of August 1965 be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

PRINCETON, N.J.—College teachers of foreign languages are almost as much in demand as science teachers, according to an informal survey made by the Woodrow Wilson National Fellowship Foundation.

Woodrow Wilson faculty representatives at over 1,000 colleges in the United States and Canada were asked whether their colleges were experiencing hardship in obtaining teachers. Two hundred and fifty-three colleges reported that they were indeed having difficulties in filling faculty openings at all levels, and only nine reported no problems. The largest group of schools heard from were private coeducational institutions.

The dearth was found to be particularly severe in mathematics (142 colleges report problems) and physics (128). Many campus representatives, however, stated that there were also acute shortages of language teachers, especially in romance languages and German (102). There were 79 requests for teachers in economics, 77 in sociology and anthropology, and 72 in English, exceeding the need for chemistry (64) and psychology teachers (50). Teachers in art, music, and classics are needed also, but the demand is not so keen.

In commenting on the findings of the survey, Dr. Hans Rosenhaupt, the Foundation's National Director, said that colleges in Southern States, including many Negro col-

leges, had reported considerable difficulty in recruiting faculty. By comparison, a relatively small percentage of colleges in the Metropolitan New York area had reported faculty shortages. "Although starting salaries in the South are competitive with those offered in New York," he said, "the attractions of the metropolitan area probably draw many of the available teachers. In many instances, particularly in metropolitan areas like New York and also at the large State universities which maintain sizable graduate schools, an ever larger sector of college teaching is done by relatively inexperienced young graduate students. Therefore, the actual shortage of fully trained college teachers is far more severe than this mere counting of heads indicates."

SPRUCE KNOB-SENECA ROCKS NATIONAL RECREATION AREA

Mr. BYRD of West Virginia. Mr. President, recently I stated my belief that the term "Spruce Knob-Seneca Rocks National Recreation Area" is one which West Virginians are going to see mentioned increasingly, as will citizens elsewhere in the United States. The recent passage by Congress of a bill which I introduced establishing this recreation area, and authorizing its funding through use of provisions of the Land and Water Conservation Act, will secure permanently for the American public the valuable outdoor recreation resources of the 100,000 acres of scenic lands included in this project and located in the headwaters of the Potomac River in West Virginia.

A recent article in the Charleston, W. Va., Gazette makes it clear that Mountain State folk are eagerly awaiting implementation of this legislation. At the time the article was prepared, and published—Saturday morning, August 28—the bill had not received Senate concurrence with the House amendments to the original bill, this concurrence having taken place on September 14, followed by the signature on Friday, September 17, of the bill by Vice President HUBERT H. HUMPHREY, in his capacity as Presiding Officer of the Senate. The bill presently awaits Presidential signature.

I ask unanimous consent to have this newspaper article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Charleston, (W. Va.) Gazette, Aug. 28, 1965]

RETREAT FOR MILLIONS IN STATE—PROPOSED PARK PROMISES PLENTY

If the Spruce Knob-Seneca Rocks National Recreation Area is created, as recommended by President Johnson, West Virginia will gain a tourist retreat capable of serving millions of people.

The area under consideration is almost entirely within Monongahela National Forest, in Grant and Pendleton Counties.

It is divided into two parts: one containing 74,000 acres, encompassing Seneca Rocks and the Smoke Hole country; the other covering 24,000 acres around and north of Spruce Knob.

The Smoke Hole is a 22-mile "S" shaped canyon, gouged out of the Allegheny Front by the south branch of the Potomac River. The stream offers some of the best white water canoeing and rubber rafting in this part of the country. Fishermen wade it for miles. Hikers pick their way along an old road, now impassable in most places, crossing the stream a dozen times in half as many miles because there is little room between the river and steep cliffs in some places.

There are several legends concerning the Smoke Hole country and how it got its name. One of the most popular stories concerns the Indians who used the Smoke Hole as a meat curing chamber for preserving meat. Later, early whilte settlers adopted this practice, curing venison, buffalo, and bear steak. From this usage came the name Smoke Hole country.

Once there were farms along parts of the river, but most have been abandoned because of floods, according to area residents. However, cattle owned by the few who have upland farms still graze on the old pastures.

Each year about the Fourth of July oldtime residents of the Smoke Hole country have a reunion, coming from Pennsylvania, Maryland, and Washington, D.C., as well as the home State. Frequently they use the Smoke Hole picnic ground maintained by the U.S. Forest Service.

Here there are bathhouses and a swimming hole, a large field for baseball and a place to pitch horseshoes. A trail leads up to an old cave.

The campground near the picnic area is full to overflowing all through the summer and most of the fall. Plans are to provide more facilities and at the same time maintain the general atmosphere of isolation and seclusion, of untouched beauty. The country has been aptly described as a retreat from the disturbing noises of expanding American industrialism.

It is possible to hike from the Smoke Hole country to Seneca Rocks. Eventually a scenic road would connect these two. From the Smoke Hole side the hiker can find a walkup route onto the rocks which comprise one of the greatest areas for rope and piton climbing in this part of the country.

There are many climbing routes on the rocks, requiring varying degrees of ability in mountaineering techniques. Climbing groups from Pittsburgh, Cleveland, and Washington practice here in preparation for longer and more difficult ascents in the western part of this country and Canada. Sometimes clubs from all three cities rendezvous for joint climbing sessions, followed by swimming in the cold streams and relaxing in the fields 1,000 feet below. More camping facilities are needed in this area to accommodate climbers and canoeists.

Nearby are commercial developments such as Seneca and Smoke Hole Caverns.

Spruce Knob, highest peak in West Virginia, provides views of Shenandoah Mountain, Massanutten Mountain, and the Blue Ridge. In the knob are interesting rock formations. A trail leads north through Norway Spruce onto the open tops of Spruce Mountain and other peaks along the ridge. The most casual of Sunday afternoon strollers find this trail easy. Side trails from it lead down to Seneca Creek, a favorite area for exploration by backpackers who obtain fire permits from the Forest Service to make camp where they choose.

There is camping at the foot of the knob along one of the access roads. More are needed to meet the growing demand and use. Much of the country in the Spruce Knob unit is in timber, but some is in open rolling hills. The knob is accessible by roads from U.S. 33 and from Spruce Knob Lake.

The manmade lake was financed by fishermen and hunters' stamp money. The lake is for fishing only and small motorless boats are permited on it. There are campsites for tents and trailers near the shore. Though not in the proposed recreation area, the lake will be managed for recreation.

Nearby on private land are the Sinks of Gandy. Here Gandy Creek goes underground for about a mile. Courageous hikers and those not so brave have made their way through the underground passage. In the old days those who dared to go through the sinks used lighted pine torches. Today hikers use miners lamps or flashlights.

A highlands scenic highway is planned along the west side of the Spruce Knob unit of the national recreation area. It will provide access to this country for fishermen and hunters as well as other recreationists. In this unit are deer, black bear, wild turkey, gray squirrels, and native and stocked trout.

The proposed national recreation area fits well into several current programs. First, it would provide recreation opportunities to urban populations. About 27 million people live within a 150-mile radius of the area, and 60 million live within a 300-mile radius. By 1970 the area is expected to attract 1 million visitors daily.

A TRIBUTE TO GRACIE PFOST

Mr. CHURCH. Mr. President, Idaho and the Nation lost a devoted servant with the death last month of Gracie Pfost, former U.S. Congresswoman and special assistant to the Federal Housing Administration.

Gracie Pfost was born in a log cabin in the Ozarks of Arkansas. She came to Idaho as a young girl, and was raised on a farm in the Boise Valley. She was educated in the public schools and Links Business College in Boise.

Gracie Pfost began her career in public service as deputy county clerk, auditor and recorder of Canyon County, Idaho, in 1929, a post she held for 9 years. She was elected treasurer of Canyon County in 1940, serving for five consecutive terms.

It was her late husband, Jack, who persuaded Gracie Pfost to take leave of her real estate business in Nampa, Idaho, to run for Congress. She narrowly lost her first race in 1950, but she was elected on her second try in 1952.

For the following 10 years, Gracie Pfost represented Idaho's First Congressional District in the Congress. Her principal service was on the Interior and Insular Affairs Committee, where she was chairman of the Subcommittee on Public Lands. She was also a member of the Public Works Committee, and, for a short time, of the Post Office and Civil Service Committee, where she had much to do with the passage of legislation, in 1958, increasing annuities for retired civil service employees.

Early in her congressional career, Gracie Pfost championed the cause for a high dam in the Hells Canyon of Idaho. The dam was never authorized, but her fight for it was so spirited that she became affectionately known as Idaho's "Hell's Belle."

Her district was a rugged one, but Gracie Pfost was a tireless campaigner who never lost her personal touch with the people she represented. She was noted for her impromptu visits to mines, lumber camps, ranches, and village stores. It was not unusual for her to ride muleback over mountain trails to eat breakfast with the lumberjacks. She was always to be seen at the county fairs, and each year she was the hit of the Lewiston Round-Up, where, dressed in western finery, she used to ride a high-stepping Palomino pony named "Silver." Once

she challenged one of her male opponents to a log-rolling contest during Lumber-Jack Day in Orofino. Naturally, Gracie won.

We who knew her relished her friendship. We admired her pluck, the way she always carried her head high and her chin up. Her life proved how much a good woman can contribute to the public service. She was ever a credit to her country, her State, her party, her family, and her friends.

Mr. President, Idaho's newspapers reflected the feeling of loss at Gracie Pfost's death. I ask unanimous consent that those editorials be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Boise (Idaho) Statesman, Aug. 12, 1965]

GRACIE PFOST

The passing Wednesday of Former Congresswoman Gracie Pfost ends a career dedicated to public service. She is mourned by the many Idahoans with whom she was personally acquainted. In the First District, she was elected to five terms in the U.S. House of Representatives. Nominated for her sixth term in 1962, she resigned and ran unsuccessfully for the U.S. Senate.

The charming woman from Nampa served the Democratic Party well. She was a diligent campaigner. She was respected for her courageous stand on many liberal issues, yet she had the talent to interpret the wishes of a more conservative constituency in her legislative work.

She fought dramatically for a Federal Hells Canyon Dam on Idaho's Snake River and never wavered as a friend of public power. Although this issue ended with private development of the river, her mission in Washington remained effective.

She became known in her beloved district as a Representative who would respond quickly to letters and requests from her people. "Write Gracie" was a familiar phrase to many voters. No matter how trivial the request, Gracie answered and kept the matter active until settled.

On the campaign trail, she was warmly received in small towns, took part in the county fairs, the women's socials, and led the Democratic rallies. Whether it was farming, logging, mining, grazing, or welfare problems, she always had an answer and a promise.

Following the termination of her career in Congress, it was appropriate that she accepted the late President Kennedy's appointment of assistant to the Federal Housing Administrator working with senior citizens. It was in such a position that Mrs. Pfost would be most dedicated, carrying out beliefs that more Federal aid should go to the elderly and needy.

Mrs. Pfost found service as the only Congresswoman in Idaho's history most challenging. In committee work and when speaking on the House floor, she held her own in debate against opponents and was never hesitant in pleading her case.

Her passing marks the loss of an Idahoan true to her duty and to her State.

[From the Pocatello, Idaho, State Journal, Aug. 12, 1965]

GRACIE WILL BE MISSED

In congressional circles Idaho Congresswoman Gracie Pfost was better known as "Hell's Belle." The name stuck while she was campaigning for a high dam at Hells Canyon. She lost that fight, but it served notice to all that Idaho's First District Representative was a real scrapper and would do battle any time and any place for the things she believed were right.

Officially she represented the northern end of Idaho, but she considered the entire State as her district. Many southern Idahoans are in her debt.

She was a dedicated party worker. She could have stayed as First District Representative, but chose instead to do battle for the Senate. She won more than she lost even in defeat. She gave the impression that she could always bounce back from defeat to do battle again, the exception being her fight with Hodgkins disease. She died Wednesday while still in public service.

She will be sorely missed from the Idaho political scene.

[From the Lewiston (Idaho) Morning Tribune, Aug. 12, 1965]

GRACIE PFOST: A ONE-IN-A-MILLION GIRL

Gracie Pfost, for 10 years the Hell's Belle of the U.S. Congress, is dead at 59, and it is altogether possible that Idaho may never see the like of her again.

She won her nickname while fighting the good fight for a high Federal dam in Hells Canyon of the Snake River (the first bill she introduced in Congress, in 1953, called for the authorization of the high dam), and the name stuck through a decade of other campaigns. She lost her campaign for the high Hells Canyon Dam, and she lost another big campaign, for election to the Senate in 1964, but in no case did she lose for lack of trying.

She was formidable on the hustings, and there is little doubt she would have been in the House of Representatives still had she not succumbed to an ambition to step up to the Senate. She already had won the Democratic nomination to Congress from the First District in 1962 when Republican Senator Henry C. Dworshak died, leaving available the most coveted elective office short of the Presidency. Few politicians—and Gracie Pfost was a politician to the soles of her high-heeled shoes—could have resisted the temptation to reach for the Senate. She did, against the advice of many Democratic colleagues, and she lost.

She did not drop out of public life, however. She called in some political debts and won appointment to the Federal Housing Administration as special assistant for elderly housing. Her new position was much less exciting, and probably far less stimulating, than the work she had become accustomed to in the House, but she shouldered her new responsibilities with the energy that was typical of her, and she was forcefully espousing adequate housing for the elderly when she was laid low by the disease which took her life.

Ideologically, Gracie Pfost probably could best be described as a moderately liberal Democrat; her liberalism was tempered by the nature of the First Congressional District. She was a stanch advocate of public power. She took a liberal position in favor of the reduction of tariffs but insisted on the protection of the Idaho lead-zinc industry. She saw good commonsense, not creeping socialism, in Federal programs like social security. She opposed the tactics of Senator Joseph McCarthy, when the Senator was riding high, but she had too firm a thumb on the pulse back home to discount entirely the dangers of communism.

The First Congressional District, in fact, was seldom out of her mind, and it was the assiduous attention she paid to her constituency, more than her political convictions, that kept her in office. No letter to Gracie Pfost went unanswered, no errand was left unrun, no visitor to her office went home without a tour of the Capitol.

Her quarters in the Old House Office Building were a fright. Copies of the CONGRESSIONAL RECORD, newspapers from Idaho, the Government pamphlets were stacked on the chairs and on the floor, and although her husband, Jack, was always at work bringing order out of the chaos, the visitor sensed that he would never succeed. Mrs. Pfost's relations with her staff were a bit chaotic, too. She was said to be hard to work for and those who knew her well have found it easy to believe that she was. She was a woman of impatience, ambition, and vast energy, and she worked her staff for long hours, just as she worked herself.

Idahoans will remember Gracie Pfost in various ways: as the freckled redhead in plaid shirt and slacks panning for gold at a Dixie Days celebration; in cowboy boots and Stetson at the Lewiston Roundup; rolling a peeled log in a birling contest at Orofino; condemning the Eisenhower administration from a platform at Sandpoint. They won't remember her legislative record, which is unimpressive, but her constituents will not soon forget her campaigns, in which she excelled. Gracie Pfost was a colorful, refreshing addition to the political life of our State; a tireless fighter, a canny strategist, and a warm and vital human being.

[From the Salt Lake City Tribune, Aug. 13, 1965]

DISTINGUISHED IDAHOAN

Death has closed the distinguished career of Mrs. Gracie Pfost, former Democratic Member of the House of Representatives, from Idaho. The good work she did for her State, and the Nation, too, is attested by the tributes paid her memory by leaders of both political parties.

Political life had a natural attraction for Mrs. Pfost. She first served as deputy county clerk, auditor and recorder in Canyon County, then as county treasurer for 9 years. In 1952 she was elected to Congress from the First District and held office until 1962 when she ran for the Senate and was defeated in the general election. The Democratic Party recognized her talents by assigning her to the platform and resolutions committee at five successive national conventions.

Mrs. Pfost was a forthright exponent of her political beliefs. But while she had opponents, she had few enemies. Her graciousness and ability were great assets which she had the knack of using in the right combination.

[From the Salt Lake City (Utah) Deseret News, Aug. 13, 1965]

MRS. GRACIE PFOST

Today it is hard to believe that only 45 years ago women were denied voting rights in the United States, and that 65 years ago no nation allowed women to cast ballots.

We have come far in 45 years, and one of those who helped us on the path of political equality for men and women was Mrs. Gracie Pfost, former Member of Congress from Idaho, who died Wednesday. She was, as are all the distaff side of Congress, a crusader for equal rights, privileges, and opportunities for women.

Such was the character of Mrs. Pfost that she did not limit her activities to just congressional work—where she served in committees whose work was important to the West. She also actively engaged in business, professional, and civic organizations where she lent leadership and enthusiasm to many public service programs.

Women such as Mrs. Pfost have, of course, immeasurably improved the political, social, and economic status of their sex in this country and others since they were given the franchise—nor has doomsday arrived, either, as was darkly forecast.

Despite the increasing effectiveness of women in public life, they have not cleaned up politics as was expected when women were first given the vote—perhaps because not nearly as high a percentage of women take active part in civic affairs as do men. In this respect, the task of Mrs. Pfost and others like her needs to be carried on.

[From the Idaho Free Press, Nampa, Aug. 12, 1965]

GRACIE PFOST'S DEATH SADDENS CANYON FRIENDS

The death of Gracie Pfost has brought many expressions of sorrow from her many friends in Canyon County. Among those expressing grief at her passing were the following:

Ernest Starr, mayor of Nampa: "Nampa is grieved by the loss of one of our leading citizens, Gracie Pfost. Her time in public office was served with dignity and distinction. Her passing was a loss to the Nampa community, State of Idaho, and the Nation."

Preston Capell, former mayor of Nampa: "All Nampa will mourn the loss of Gracie Pfost. She achieved her great success almost entirely by her own efforts but never lost the common touch or forgot a friend. It was a privilege to have known her."

Mrs. Marie Johnson, president of Nampa Business and Professional Women's Club: "Members of the Nampa Business and Professional Women's Club mourn the death of Gracie Pfost, distinguished longtime member of the Nampa club and former district director. It was a privilege to have one so deeply involved in State and National affairs in our ranks. She will be deeply missed."

Postmaster Harold K. Beaudreau: "In Nampa we were all proud of Gracie Pfost—not only because she was a statesmen of stature who did much for Idaho but because of her sex. She made other women aware of their duties not only in the home but to the State and Government as a whole. A number have since branched out into State and local positions, taking a cue from her lead."

Charles H. Burns, Idaho shipper and life member of the National Onion Association: "We have known Mrs. Pfost for many years. She was a tireless and conscientious worker. She loved Idaho and truly represented her people while in Congress."

Edith C. Huntsman, a longtime friend: "Gracie was truly an able and devoted servant to the people of Idaho and her hundreds of Canyon County friends. My life was enriched by my association with her in work, politics, and friendship. I truly regret and mourn her death, as do her hundreds of other friends in Canyon County."

W. J. (Bill) Brauner, Democratic representative from Canyon County: "I know that our State will keenly miss the gracious and vivacious lady from Idaho, Gracie Pfost. Gracie worked tirelessly in her efforts for the people of Idaho and there will always be a place in the hearts of all who knew her. Idaho has lost its great lady in politics.

"Those of us who campaigned with her found out that the difference between being a candidate and being a successful candidate meant hours and hours of hard work and sincere dedication for a cause; she lacked nothing in sincerity and exceeded all in ambition."

Henry Bradley, justice of the peace at Nampa for 20 years: "I had known Gracie all her life and have never failed to vote for her. We have all lost a friend."

Wilma Patterson, Canyon County Democratic central committee chairman: "A dedicated and courageous woman, who spent her life in service to the people is gone. A voice that has argued long for Idaho is still. The loss to her beloved State, the Democratic Party, and her many friends will be felt for years to come. She has served as an inspiration for women in politics and as an example to all. Let her long be remembered."

WHITE SULPHUR SPRINGS, W. VA.

Mr. BYRD of West Virginia. Mr. President, West Virginia has a famous resort area, White Sulphur Springs, which increases in popularity with the years. Located in Greenbrier County, in the heart of the Allegheny Mountains, the springs have been internationally praised for their "curative" and "restorative" effects. The resort itself was brought to a high peak of development following its purchase by the Chesapeake and Ohio Railroad.

Then, following World War II, an extensive remodeling and redecorating project was undertaken to return the historic Greenbrier Hotel to its favored position as the heart of the resort area, the hotel having been taken over by the Federal Government and used as a hospital for care of sick and wounded soldiers during the war years of the 1940's.

Today, this resort area is again affectionately known as the "playground of the Nation"; and, in response to many questions reaching my office concerning its history and background, I ask unanimous consent to have the newspaper article, "White Sulphur—Nation's Oldest Resort," as published in the Beckley, W. Va., Post-Herald and Register on Sunday morning, August 29, 1965, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHITE SULPHUR—NATION'S OLDEST RESORT

(By Lowell Talbott)

Often called the "playground of the Nation," White Sulphur Springs in Greenbrier County lies cradled in a beautiful mountain valley in the heart of the Alleghenies, at an altitude of about 2,000 feet above sea level.

The curative properties of the spring's waters were known to the Indians and the early white settlers considered them helpful in the treatment of rheumatism and other ailments.

As early as 1774 Nathan Carpenter laid the foundation for what was to become one of the Nation's most popular resorts when he secured title to a tract of land which included the springs.

Early white visitors lived in tents grouped about the springs in much the same manner as the natives had done before them.

But the tents soon gave away to cabins, and in 1808, James Caldwell, sometimes called the "Father of White Sulphur," built the first tavern for the accommodation of visitors. This tavern soon became a political and social center.

Later the Masten House, surrounded by cottages, was erected.

The social position of the "Springs" was definitely established when Thomas Jefferson, then President of the United States, selected them for a summer vacation.

Between that time and the outbreak of the Civil War the resort was visited by most of the Presidents. It is said that from Andrew Jackson to Abraham Lincoln, all of them spent time here with the lone exception of William H. Harrison.

In addition to Presidents, Senators, Congressmen, financial tycoons, planters, sportsmen and foreign royalty patronized the resort. Among the notables was Edward VII of England who, as Prince of Wales, visited White Sulphur in 1860.

In 1919 it was visited by another Prince of Wales, now the Duke of Windsor.

Increasing popularity created a need for greater accommodations and in 1958 the White Sulphur Springs Co. erected the large building which later came to be known as "Old White."

The dining room of this establishment was at the time the largest in the United States—possibly in the world.

During the Civil War, as the tides of battle surged back and forth, the Old White served alternately as headquarters for both Union and Confederate officers.

Later, Gen. Robert E. Lee spent his last three summers here, and it was here that his postwar meeting with General Grant took place.

In 1913 the Greenbrier Hotel was built, a spacious and luxurious structure of eight stories and designed in the style of the Georgian period.

White Sulphur's appeal to sportsmen has grown until it is today one of the favorite playgrounds of the entire Nation.

Before the Civil War the favorite sports enjoyed here were billiards, quoits, tenpins, croquet, and horseback riding.

It has been claimed that golf was played there for the first time in America.

At any rate, the first golf club in the United States was organized here in 1884, and Charles Blair McDonald, American's first amateur golf champion, designed two of the Spring's excellent courses.

This is the scene of several important tournaments, and most of the greats of golf have played here.

Other popular sports included polo, tennis, and swimming.

Several swimming champions have trained in the indoor pool, which is one of the largest in the United States, measuring 40 by 130 feet.

Now, next to golf, the most popular engaged in by patrons of this world-famous resort, is one of the oldest—horseback riding. And no wonder.

The 7,200 acres of Greenbrier estate offers riders 250 miles of bridle paths over terrain unexcelled anywhere for its natural beauty.

NEW DOCTRINE OF CONSERVATION

Mr. BREWSTER. Mr. President, today I had the distinct honor of witnessing the President of the United States sign into law the Assateague Island National Seashore legislation which I introduced in Congress 2 years ago.

On this historic occasion, President Johnson took the opportunity to proclaim his new doctrine of conservation—one designed to preserve our most basic heritage.

As one who is deeply concerned with the need to increase our conservation efforts, I was greatly heartened to hear the President strongly reaffirm his own personal dedication to the cause of conservation.

The acquisition of Assateague Island, along Maryland's Atlantic shoreline, is a prime example of President Johnson's new doctrine of conservation. The preservation of this 33-mile barrier reef means that untold future generations will be able to enjoy its unique beauty.

Thanks to the foresight of past generations, many remote wilderness areas have been passed down to our generation. The President rightly pointed out today that we must now concentrate on the acquisition of recreational areas "where they will do the greatest good for the greatest number of people."

Mr. President, I ask unanimous consent to place the President's remarks in the RECORD because I know that all of my colleagues will want to read what is but a prelude to President Johnson's great conservation crusade. Once again, he has both my admiration and support.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

CENTURY OF CHANGE

We are living in the century of change. But if future generations are to remember us more with gratitude than sorrow, we must achieve more than miracles of technology. We must also leave them a glimpse of the world as God made it, not as it looked when we got through with it.

Thanks to this bill, we can now do that with Assateague Island. Stretching some 33 miles along the Maryland and Virginia coastline, this is the last undeveloped seashore between Massachusetts and North Carolina.

One-fifth of all our people live within an easy day's drive of Assateague. And now its clean, wide, sandy beaches will be theirs to enjoy forever.

A DREAM BECOMES A REALITY

They were almost lost. The National Park Service first recommended an Assateague National Seashore in 1935. Many bills were introduced in the Congress. But it took us 30 years to make the dream a reality.

We must learn to move faster. Our population is growing, but our shoreline is shrinking. Of the 3,700 miles of shoreline along our Atlantic and Gulf coasts, only 105 miles—less than 3 percent—are today available to public use.

What the Good Lord once gave in greatest abundance have become rare and precious possessions. Clear water and warm, sandy beaches are a nation's treasure.

OUR SHORELINE MUST BE PRESERVED

For the rest of this century, the shoreline within reach of our major cities must be preserved and maintained primarily for recreation. This cannot be done by Federal Government alone. Conservationists, State governments, and municipalities must also act. And we must begin to act now if this most basic heritage is to be preserved.

We have already accomplished much. Last year we acquired Fire Island National Seashore in New York—and it is within easy reach of one out of every four Americans. Like Assateague, which we acquire today, Fire Island symbolizes the new philosophy of conservation. We are going to acquire our places of recreation where they will do the greatest good for the greatest number of people.

The year I was born, 57 years ago, President Theodore Roosevelt held a great conference on conservation in the White House. He and that other great conservationist, Gifford Pinchot, rescued millions of acres of Western wilderness from commercial exploitation.

OUR HERITAGE WILL BE EXTENDED

I grew up in that West. I know what that heritage means. And so long as I am your President, I mean to preserve and extend that heritage for all our people, East as well as West, North as well as South. I intend to seek out what can still be saved, and preserve it. I intend to find those oases of natural beauty which should never have been lost, and reclaim them for all our people.

Conservation has been in eclipse in this country ever since Theodore Roosevelt's day. It had barely gotten off the ground when Uncle Joe Cannon, the Speaker of the House in those days, issued his ultimatum: "Not 1 cent for scenery."

Well, today we are repealing Cannon's law. We are declaring a new doctrine of conservation.

Before my allotted time in office has run out, I hope to see the best and fairest regions of America a matter of daily concern in this Government.

RECLAMATION A CONCERN OF CONGRESS

I hope to see the preservation—or the reclamation—of those areas become an annual concern of the Congress.

I want to see our unrivaled power to create matched by an equal power to conserve.

We have already gone far in that direction. We have almost doubled the portion of our precious shoreline in our national park system. Almost $20,000 acres of sand dunes and beaches are now a perpetual possession of all our people.

NEARLY 27 MILLION ACRES RESERVED

Nearly 27 million acres of the most beautiful land in America have been set aside for the joy and pleasure of present and future generations.

Most of this would have been impossible without a conservation-minded Congress. Fortunately, that is the kind of Congress we have. The 88th Congress passed more than 30 major conservation bills. And the 89th Congress is adding magnificently to that record.

These have been memorable years in the history of conservation. But the work is still unfinished. We have shown what can be done. If we can continue the same superb record which we have already begun, then the day will soon come when we can say to our people: Your heritage is secure.

SUMMER OF OUR GREATNESS

Over 100 years ago, Henry David Thoreau looked out upon the beauty of America and wrote: "It is a noble country where we dwell. Fit for a stalwart race to summer in."

It remains for us, who live in the summer of our greatness as a nation, to preserve both the vision and the beauty which gave it rise.

LAW, WORLDWIDE COMMUNICATIONS, AND WORLD PEACE—ADDRESS BY DAVID SARNOFF, CHAIRMAN, RADIO CORP. OF AMERICA

Mr. AIKEN. Mr. President, on September 17, 1965, David Sarnoff, chairman of the board of the Radio Corp. of America, addressed the Conference on World Peace Through Law on the subject "Law, Worldwide Communications, and World Peace." I believe his address is of sufficient interest to Members of Congress that I ask unanimous consent to have it printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAW, WORLDWIDE COMMUNICATIONS, AND WORLD PEACE

(Address by David Sarnoff, chairman of the board, Radio Corp. of America, to the Conference on World Peace Through Law, Washington, D.C., Sept. 17, 1965)

I feel highly honored by the invitation to address this assembly and welcome the opportunity to voice a layman's endorsement of your efforts to place the cause of world peace upon a strengthened foundation of law and order.

Standing before so many distinguished lawyers, jurists, and legal scholars from every continent on the globe, I cannot escape a feeling of concern that must have been common to pleaders before the bar in a particular area of ancient Greece. According to a legend—perhaps apocryphal but an interesting one nonetheless—it was the custom for a petitioner to stand on a platform with a rope around his neck. If his case were judged to have merit, the rope was removed; if the case were irrelevant or lacking in merit, the platform was removed.

Today, I see no ropes, the platform seems solid, and I hope you may consider my case relevant to your search for ways to fulfill the oldest and loftiest of human aspirations. It concerns the compelling need to establish a durable foundation for worldwide operation of satellite communications.

It is appropriate that we jointly consider this subject, since our two professions of communications and the law share a historic community of interests. Over the years, we have joined forces to fashion a body of laws permitting the transmission of messages within and among nations. We are partners too in a more fundamental sense, for without the means to communicate its wisdom and weave it into the fabric of society, the law is silent and justice is impotent.

On the threshold of a new era in communications—worldwide in its reach and universal in its promise—our collaboration is not only desirable but indispensable to the orderly progression of human affairs. The rate of change in the art of communications is so great that if we delay even 5 years in coming to grips with its problems, they may pass beyond our control. Our hopes for progress might then degenerate into further confusion and deepening of world disorder.

Global satellites represent the most dynamic element in a communications revolution that has achieved its greatest momentum in the two brief decades since the Second World War. In so doing, it has demolished the barriers of space and time. Barely 20 years ago, the transmission of moving images through space was in its infancy, and transoceanic telephony depended entirely on the inadequate service of shortwave radio. Satellite was a word found only in the vocabulary of astronomers and diplomats.

Today, electronic impulses carry television, telephony, facsimile, computer data, and written messages to any overland point. New undersea cables can handle telephone as well as telegraph communications between continents, and new cables will soon have the technical capacity to carry television programs.

Television has already brought the surface of the moon into the living room. Electronic photography, sensing devices, and modern communications have given us an insight of the nearby planets. We communicate with orbiting astronauts in space almost as readily as with an associate in an adjoining office.

Through our initial efforts in space communications, it has become possible for millions on both shores of the Atlantic and Pacific communities to view and listen simultaneously to each other's leaders, to see important events at the moment they occur, to examine each other's national treasures, and to exchange man-in-the-street opinions on subjects of topical importance.

The instrument that is leading the way in this phase of the communications revolution hovers above the equator at a fixed point more than 22,000 miles in space. It is a synchronous satellite, known as the Early Bird, and it provides intercontinental commercial service in telephony, telegraphy, and television. It is the electronic symbol of a time, now swiftly approaching, when channels through space will become major arteries of world communications, and particularly in the transmission of television.

By the end of the decade there will be not only one communications satellite but many; not a single global satellite system but possibly several in competition with one another; not a sole operating agency dealing with many nations, but many nations with their own operating agencies pursuing different satellite communications plans and objectives.

As the number of satellites multiplies in space, a corresponding number of problems will multiply on earth. We are faced not only with a new technology, but with a new means of reaching the minds and influencing the actions of every society and individual on the surface of the globe. When we can communicate instantly to everybody, everywhere, we will set in motion a force whose ultimate political, social, and economic impact upon mankind cannot be calculated today. It is vitally important that we understand the nature and dimensions of this new force.

History shows us that where the means of communication have been most advanced, so has been the progress of the nations and peoples within its reach. In ancient times, Rome extended its civilization, its law, its economic wealth, and political stability through a magnificent network of roads that stretched to every corner of the empire. In modern times, power and progress have marched hand in hand with the telephone, the telegraph, radio broadcasting, and television.

Thus, it is more than coincidence that over 80 percent of the world's telephones and radios are in North America, Europe, and Japan. These areas also account for the same preponderance of cable and radio communications. These three regions constitute the heartland of commercial and industrial power, and the most advanced centers of economic progress.

Yet Europe, North America, and Japan together comprise only one-quarter of the world's population of 3¼ billion. The communications revolution has yet to influence to a significant degree the lives of the remaining 75 percent of the earth's people.

Within this vast area of primitive communications, hundreds of millions of people still go to sleep hungry—often on a bed of packed earth or the pavement of a city street. Their per capita income is less than 5 percent that of the more advanced nations. In this environment we naturally find the highest rates of illiteracy.

Through satellite broadcasting we have a new tool with which to combat this problem—a universal instrument for communicating education and knowledge on a scale that can advance all of humanity to higher levels of understanding and improved standards of living.

Geographical barriers and political boundaries will be rendered meaningless in any technical communications sense. Every item of information that man has accumulated in his endless pursuit of knowledge, every known process for human advancement, can be made instantly available through electronic communications and computation for men everywhere to receive, to store, to retrieve, and to use as needed.

This is not a remote hypothetical possibility. Progress in the area of satellite communications technology is far more rapid than was first anticipated. Only 3 years ago, it was assumed that cost and technical complexity would make impractical more than a single satellite global system to serve all countries for the foreseeable future. That assumption has already been invalidated.

Technology, in fact, is moving so rapidly that the establishment of a satellite service has now come within the economic capability of many nations. Through a single transmitting and receiving ground station costing approximately $5 million, any nation can have access to a satellite linked by sight and sound to any other nation similarly equipped. The cost of a satellite itself may be as little as $1 million. Already, the Soviet Union is operating a prototype satellite communications system of its own.

But even developments of this significance are likely to be eclipsed by a new revolution in satellite technology. Within 5 to 10 years, I believe that we will develop high-power broadcasting satellites capable of transmitting television and radio directly into the home.

These would be nuclear-powered synchronous satellites radiating up to 30 kilowatts of power, sufficient to transmit simultaneously on three television and three radio channels to home receivers within an area of 1 million square miles. The present type of home antenna could be modified without difficulty to receive such transmissions in the ultra-high frequency band.

For the North American continent, a direct-broadcast satellite could be positioned in synchronous equatorial orbit over the Pacific just west of South America. To provide continuous service, three satellites would be required. A standby unit would be placed in orbit beside the operating satellite in the event of failure. A third satellite would be kept in readiness for launching should either of the first two fail to operate.

The cost of such a three-satellite system would be far less than the establishment of a conventional communications network covering a large area such as South America or nations such as Argentina or Brazil. It would enable the remotest village to be linked to major industrial and cultural centers. It would give less developed areas access to the same communications technology that the industrial powers enjoy.

Direct broadcast satellites will alter the entire pattern of relationships in international communications, and their operation will obviously involve far more than simple positioning of the satellites in orbit. When many nations possess the capability for transmission through space to any place on earth, they must agree to a new pattern of global regulation. Otherwise, the prospect of social and economic gains will be thwarted by the ensuing chaos in the world's air waves.

Anyone who listens to international shortwave radio is aware of the disorder that lack of effective worldwide regulation produces—the jamming, the censorship, the conflicts of channels, the overlapping and garbled transmissions. These are the outgrowth of an earlier inability among nations to establish a firm pattern of frequency use, and their failure to adopt appropriate international regulations that would permit people everywhere the freedom to listen and look.

However, there is a hopeful precedent for cooperation in the work of the International Telecommunication Union which was founded 100 years ago to bring order to international telegraphy.

Since 1865 the ITU has grown from 20 to more than 120 member states and territories. Its original terms of reference have been expanded to cover certain aspects of doing business in all present forms of international electronic communications, including tariffs, technical standards, and frequency allocations.

But the ITU, or any other international agency, will be powerless to avoid conflict in direct satellite broadcasting without advance agreement on certain fundamentals among the nations owning and operating the space systems.

For example, it will be difficult to avoid confusion both in space and on the ground without greater uniformity in worldwide television standards. Ideally, there should be agreement among all nations to operate on standards that would enable television sets everywhere to receive broadcasts from any part of the world. That ideal is far from realization, but it is within the collective power of the nations of the world to achieve it.

Formidable allocations problems will also require a high level of statesmanship to resolve. No legal basis yet exists for agreements to prevent interference among high-power satellites in the coverage of geographic areas. Nor has an international plan yet been devised to avoid conflicts between satellite and ground broadcasting services that will operate in the same general frequency ranges.

I present these technical problems in terms of broadcasting because I believe that broadcasting on a world scale may prove to be the most important function of these satellites of the future. Yet, complex as these technical problems are, there are others of an even more formidable nature that must be considered from a different perspective.

When, for example, a Russian satellite can broadcast directly to a Kansas farm, or an American satellite can broadcast directly to a Hungarian collective, what will be the reaction in both countries? When we can reach the homes of the world with instantaneous sight and sound, what rules of conduct are to apply, and who is to establish them? This question evades the jurisdiction of any established body, yet it will affect the welfare of all nations and all people.

Today, the proliferation of nuclear armaments has become an ominous threat to world peace. No international agreement has been reached thus far on a practical plan that would solve this problem, but at least its menace to mankind is now universally acknowledged. Many able minds, in many nations, are working hard to neutralize the danger. But surely, had comparable efforts been put forth at the earlier stages of nuclear development, the task would have been far simpler than it is today.

In the development of global satellite communications—especially in the area of future direct broadcasts from outer space to the home—we face an analogous situation. Communications satellites must not be allowed to become propaganda instruments used primarily for heating up the cold war, for stimulating subversion, for promoting conflict and confusion on a worldwide scale. These uses, too, could proliferate if we ignore the lessons of communications history.

If direct satellite broadcasting is to fulfill its destiny, I am convinced that some type of modus vivendi must be established among the many rival national and ideological interests. It would be a travesty on the hopes of humanity if this immense force for enlightenment, understanding, and social advancement were to be subverted to narrow national ends, or become discredited by the failure of nations to agree upon its beneficial uses.

We live in a world in which open and closed societies exist side by side in varying degrees of mistrust. They differ, among other things, on what is to be accessible to the eyes, ears, and minds of their people.

To counter this deeply rooted division, it seems to me that we should begin to concern ourselves initially with an examination of the broad fields of subject matter that might be acceptable to all nations and peoples. I visualize five broad areas in which we might achieve some form of understanding prior to the orbiting of the first direct broadcast satellite.

The first is in the field of culture. In the midst of national rivalries an interchange of art forms continues to grow—in painting, in music, drama, ballet, and the folk arts. All of these are readily transferable to the medium of global television, and all strike a chord of response in civilized man regardless of his nationality or ideological allegiance.

The second area could extend to the presentation of certain types of major news events. Whatever our personal loyalties, there are events and occasions that move us all to wonder and pride. For example, the first astronaut to set foot on the moon will place man on the threshold of a world far vaster than anything discovered in the age of Columbus and Magellan. Happenings such

as this transcend all national boundaries and, here too, it should be possible to reach a broad consensus on what could be broadcast to all people everywhere.

A third area of exploration might be the use of global satellite broadcasting as a direct channel of communication between nations. Agreement on this basic concept might ultimately lead to summit conferences in which the principals would confer face to face without leaving their capitols. If closed sessions were desired, the transmissions could be scrambled and decoded by special equipment at each terminal, comparable to today's "hot line" between Washington and Moscow. If no need for secrecy existed, the conferences could be available for all people to see and hear.

The fourth area of examination lies in a realm of political activity where all nations share a common interest. Perhaps an agreement could be achieved that one channel in each space system would be allocated for the deliberations of the United Nations. It might not always be a placid picture that humanity would view, but it would mirror society through the only world forum where all ideas are publicly exchanged and debated. Global television by the U.N. would help at least to create an understanding of the issues involved, and thus further the cause of peace.

The fifth area in the search for a common accord is instructional. The greatest promise of direct satellite television rests on its ability to educate millions simultaneously, to bring people everywhere into instant contact with technological and social progress. The prospects for educational programing by satellites are virtually limitless, and they offer perhaps the greatest hope for advancing the world to a higher plateau of understanding and peace.

If we can achieve broad agreement in these five areas, it should not be beyond our ingenuity to devise arrangements for utilizing all satellite broadcasting facilities on suitable occasions as a world network serving the interests of all nations. Inevitably, as the world continues to grow smaller in distance and time, I believe we will find more things to unite rather than to separate the community of man.

No other generation has ever had so great an opportunity to diminish the discords that divide our world. It demands of all of us—lawyer and jurist, communicator, statesman, and diplomat—that we unite our best efforts in establishing a basis for progress.

During the past week, you have devoted part of your attention to a consideration of world communications. Its position on your agenda indicates the importance you attach to its potential contributions to world peace through law. I earnestly hope that your efforts in this direction will extend beyond this constructive conference, for you have more than your expert knowledge to contribute. Among your own countrymen, you possess the prestige and moral stature to create broader awareness of the revolution in communications and the need for new agreements that will enlist satellite technology in the cause of a world founded on peace through law.

The adjustment of law to technology, and of technology to law, may well be the enduring task of this generation. It is a challenge to our combined wisdom and leadership. We can meet it by joining all mankind in a brotherhood of sight and sound through global communications.

OPPOSITION TO IMMIGRATION LAW CHANGES

Mr. BYRD of West Virginia. Mr. President, on Tuesday, September 14, I stated my opposition to the proposed immigration bill except for specific reservations which I made, particularly with reference to the need for a limitation on Western Hemisphere immigration.

A number of newspapers in my State of West Virginia have seen fit to support my stand on this legislation, now under debate in the Senate.

I ask unanimous consent that these articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wheeling (W. Va.) Intelligencer, Sept. 18, 1965]

BYRD PULLS NO PUNCHES IN PARTING COMPANY WITH CHIEF ON IMMIGRATION

The purpose of the immigration law now in effect in the United States is both to limit the number of foreigners admitted for residence here and to influence the character of the immigration by favoring those peoples historically proven to be more readily assimilable by our society.

To implement this purpose annual quotas are assigned non-American countries based on the national origins of inhabitants of the United States as reflected in the census of 1920.

This principle was written into the law in 1924 and was retained in the Immigration and Nationality Act of 1952, a codification of various regulations then on the books dealing with separate phases of immigration control.

There now is pending in Congress a bill, originating during the Kennedy administration, which strikes at the foundation of the existing policy by scrapping the national origins quotas. It has strong administration support and appears on the list of must legislation earmarked by the President for action at this session.

In the able speech he delivered on the floor of the Senate the other day in which he announced his intention of voting against the bill because of its abandonment of the national origins principle, West Virginia's ROBERT C. BYRD made several telling points:

That it is "completely unrealistic for us to be considering legislation that is going to permanently increase our immigration to any degree whatever."

That we have no need for more people at a time when we are wrestling with an unemployment problem and facing the consequences of a population explosion, and that other countries need more than we do those possessed of special skills upon whom so much emphasis is placed by advocates of change.

That "our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world."

That it doesn't make sense to "develop a guilt complex concerning immigration policies" when this country is "far more liberal than other countries in this respect," and when every other country "that is attractive to immigrants practices selectivity and without apology."

That those "who would have us believe that our foreign policy will be ineffective and hampered if we retain the national origins quota system" are uttering "pure drivel."

Senator BYRD goes to the heart of the matter, we think, in this passage:

"But, Mr. President, if we scuttle the national origins quota system, we will have many years and many reasons to regret it. I do not claim that the existing national origins system is perfect, but it has provided a reasonably effective means of controlling immigration, and where it has not worked, we have enacted special legislation to alleviate special problems as they have arisen.

"The national interest must come first. Sentimental slogans have been all too adroitly exploited, and the time is at hand when we must resist the pressures for sharply increased immigration of persons with cultures, customs, and concepts of government altogether at variance with those of the basic American stocks. We must not throw open the gates to areas whose peoples would be undeniably more difficult for our population to assimilate and convert into patriotic Americans. The alien inflow to America from potential waiting lists of applicants from Jamaica, Trinidad, Tobago, Indonesia, India, Nigeria, etc., can profoundly affect the character of the American population, and in the long run can critically influence our concepts of government."

In this connection Senator BYRD voices a criticism of the present immigration law that would be met by an amendment—if it is permitted to stand—now attached to the pending bill. That is its failure to limit immigration from the Western Hemisphere. Applying the same reasoning to Latin American immigrants that he does to those from overseas, Senator BYRD fears that the impact on us of population problems in the neighboring countries to the south, while not seriously felt as yet, will become serious in the years ahead.

Because free access to this country by our hemisphere neighbors is an integral part of the broader good neighbor policy, this newspaper has been disposed to agree with it. But it may be, as the Senator says, that the time has come when limitation in this direction also is necessary as a matter of national interest. But a limit on Western Hemisphere immigrations, as we are sure Senator BYRD would agree, would be too much of a price to pay for letting down the bars to the type of immigrants the pending legislation would encourage.

Our own feeling is that the law is sound as it stands and should not be disturbed. But whether or not a new law along the prepared lines is enacted, with or without a limit on Western Hemisphere immigration, Senator BYRD has performed a public service and displayed again the political courage that has characterized his tenure in the Senate of the United States by putting the spotlight on what's afoot.

[From the Huntington (W. Va.) Advertiser, Sept. 17, 1965]

BYRD RAPS IMMIGRATION BILL

Problems resulting from unemployment and the rapidly expanding population would be complicated, Senator ROBERT C. BYRD, Democrat, of West Virginia, has warned, by pending legislation that would open U.S. gates to more immigrants.

As a member of the Senate Appropriations Subcommittee which this year approved appropriations of more than $8 billion for the Departments of Labor and Health, Education, and Welfare. Senator BYRD is thoroughly familiar with the problems of big cities into which immigrants usually flock.

At a time when the Government is spending huge sums to relieve unemployment among native Americans, it seems highly unwise to expand the labor force with unskilled and smiskilled workers.

Senator BYRD expressed particular opposition to the pending measure because it would abolish the national origins quota system on which immigration regulations have been based since 1924 and would swell the flow of immigrants from Asia and the newly emerging countries.

Although the leveling tendency of the times would wipe out distinctions of quality and genius, it is highly unlikely that the new law would increase the probability of

the arrival of an Einstein, a Carl Schurz, or another great contributor to the progress of the United States or the world.

The immigration bill seems to be an extreme development in the liberal tendency that has poured more than a hundred billion dollars of American money into aid for less favored nations.

What might eventually happen in the United States as a result of opening the doors to those untrained in the ways of freedom has been demonstrated by the United Nations' loss of prestige, influence, and effectiveness by the admission of representatives from many nations unable to govern themselves.

Besides the political shifts that the newcomers could produce, they could also in future years complicate the problems of health and survival by enlarging the population and thus increasing the pollution of air and streams, the shortage of water and wildlife and the demand for expanding welfare programs.

Opening the way to more such difficulties now is like abolishing capital punishment and making the conviction of habitual criminals more difficult at a time when the rate of crime is spiraling alarmingly in every city of the country.

[From the Morgantown (W. Va.) Post, Sept. 18, 1965]

BYRD PUTS IT ON THE LINE

In announcing he has decided to vote against the pending immigration bill, Senator BOB BYRD was forthright enough to confess he believes this is a time when Congress should give its first attention to the American people and their welfare.

We say "forthright enough" because in the present climate of Washington opinion entirely too much emphasis is placed upon what we can do for others instead of what we should do for ourselves.

Senator BYRD was certainly putting it mildly enough when he said he deems it "highly unwise to expand the available work force (in the United States) with skilled or semiskilled workers from abroad." Yet, sensible as this is, little talk of that kind has been heard in the congressional debate of immigration problems.

The Senator made the further point—and this, too, is rarely mentioned—that in considering the welfare of other countries we should ask ourselves whether we are really helping those countries by attracting their skilled workers to our shores. "It seems to me," he said, "that these countries need the services of their talented and trained people more than we do."

We do not know how other members of West Virginia's congressional delegation feel about lowering the immigration bars, but they might well give heed to what Senator BYRD said. We believe most West Virginians agree with him.

[From the Wheeling (W. Va.) News-Register, Sept. 17, 1965]

HOLD THE LINE ON IMMIGRATION

U.S. Senator ROBERT C. BYRD has taken a very reasonable and sound stand in opposing the administration's proposed new immigration bill which would scrap the basic national origins quota system first drawn in 1924.

Admittedly there are some weaknesses in the present system as it applies no limitations on immigration from South America and other Western Hemisphere countries, yet it has served the interests of the United States well in the past. The proposed legislation now being considered, however, would pose grave problems for our country and in a way could lessen the effectiveness of current U.S. policy to help other countries improve their economic conditions.

Certainly it is difficult to understand why we would want to encourage massive migration to the United States at the very time when our Nation is confronted with critical problems of unemployment, poverty, depressed areas, automation, integration, increasing crime, and a skyrocketing welfare bill.

In many parts of the country, including our own, joblessness remains a nagging problem. As stated by Senator BYRD, sooner or later, we are going to have to recognize the realities of this situation and admit to ourselves, that our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world.

The advocates of the change, state that under the proposed legislation it will be easier for people of special skills to come into the country and help the U.S. economy. Yet, under the new legislation, there would be an increase in quotas for such countries as Trinidad, Jamaica, Tanzia, Malawai, Yemen, and Nepal, and it would seem that persons with special skills needed in the United States might be very hard to find in those countries. Besides these countries need the services of their talented and trained people more than we do if they hope to build a better economy.

Under the present system, it is true, that relatively larger quotas are assigned to such countries as England, Scotland, Ireland, Germany, France, and Scandinavia, but this is because the basic population of our country is made up largely of stocks which originated from those countries, and the reasoning back of the present system is that additional population from those countries would be more easily and readily assimilated into the American population. As pointed out by the West Virginia Senator there are fine human beings in all parts of the world, but peoples do differ widely in their social habits, their levels of ambition, their mechanical aptitudes, their inherited ability and intelligence, their moral traditions, and their capacities for maintaining stable governments.

The United States need make no apologies for its immigration policies which already are far more liberal than other countries and in view of the fact that other advanced nations are selective in dealing with immigrants.

The time is here when we must begin thinking about our own national interest without being influenced by foreign nationals. We fully support the stand of Senator BYRD on this vital issue.

[From the Williamson (W. Va.) Daily News, Sept. 18, 1965]

BYRD WARNS OF IMMIGRATION BILL PERILS

Once again U.S. Senator ROBERT C. BYRD has demonstrated a keen sense of perception with regard to potential perils posed by legislation which is being advanced for congressional approval. His latest warning comes on the impending immigration bill which Senator BYRD says "will increase the problems of the expanding American population."

Taking a forthright stand against the proposal, Senator BYRD told his senatorial colleagues that "we are now encountering many hazardous problems in our growing cities, where most new immigrants settle thereby creating the possibility of compounding these dangers to public health by adding to the population."

BYRD further pointed out that "at a time when we are making an all-out effort to reduce unemployment, I believe it to be highly unwise to expand the available labor force with skilled and semiskilled workers from abroad."

In its present form, the bill authorizes an annual increase in immigration. It would also abolish the national origins quota system on which immigration from various countries into the United States has been based since 1924.

BYRD said that "we are now experiencing a number of problems which are directly or indirectly attributable to our increasing population. These include pollution of our rivers and streams and the air we breathe in our great metropolitan areas; the first serious water shortages in the northeastern part of the country; progressive extinction of wildlife; ever-increasing welfare costs at the nonproductive segments of our population continues to expand."

The West Virginia Senator said he was convinced that "our own problems of chronic unemployment and underemployment, housing, job retraining needs, crime and juvenile delinquency are so great that we should not be considering any liberalization of the immigration laws.

"Advocates of the proposed legislation say that it will enable us to secure a greater number of skilled aliens. A collateral question that arises is whether we really want or need to permanently attract skilled workers away from other countries. This policy seems at odds with our other efforts to help these countries improve their economic condition. It seems to me that these countries need the services of their talented and trained people more than we do."

One of the big points made in favor of the measure, already approved by the House, is that by abolishing the national quota system it discontinues the discrimination historically practiced in favor of immigrants from such countries as Germany, England, Ireland, and France.

This newspaper's objection to the legislation is not that it will increase immigration, although we see no great merit in this, but that it constitutes an indictment of a perfectly legitimate public policy.

The purpose of any immigration law is to serve the welfare of the American people, not to cater to the wishes of those in other lands who would like to come here to live. In the old laws we favored some countries over others because we believed their people to be more assimilable. We opened our doors to all of the Western Hemisphere because we believed this to be in the interest of inter-American solidarity. Both points of view were and are, we think, sound.

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

CONTRIBUTION TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS—CONFERENCE REPORT

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1965, p. 24295, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, the issue between the House of Representatives and the Senate was very simple. The House bill authorized a contribution of not to exceed $75,000 a year and the Senate amendment one of $25,000 a year. The conference agreement is on a contribution of $50,000 a year.

Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. SPARKMAN. Mr. President, I move that the unfinished business now be laid before the Senate.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER (Mr. ERVIN in the chair). The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to; and the Senate resumed the consideration of the bill.

Mr. EASTLAND. Mr. President, we again are witnessing the assault on our immigration laws by those individuals and groups who feel that they can obtain political mileage by this form of appeal to the organized minority blocs in the great urban areas of this country.

I have witnessed these efforts for many sessions of the Congress, and this 1st session of the 89th Congress is proving to be no exception. In fact, Mr. President, the efforts in this Congress to curry the favor of the minority blocs of votes by destroying our present national origins quota system through bipartisan political efforts exceeds all efforts in the past. It is an assault which is dangerous and which could have, in fact, most serious consequences on our present form of government if not met with determined resistance. I have opposed these efforts to destroy the McCarran-Walter Act in the past and I shall oppose them now.

Mr. President, it has been my privilege to be a member of the Committee on the Judiciary of this body since February 7, 1944, which was in the 2d session of the 78th Congress. I have had a keen interest in matters relating to our immigration and naturalization system since jurisdiction over such matters was transferred to the Committee on the Judiciary pursuant to the terms of the Legislative Reorganization Act of 1946. As a matter of fact, my interest in these matters antedates the transfer of jurisdiction over them to the Judiciary Committee, for I had the privilege of serving on the Immigration Committee prior to the reorganization of the committees in the Senate. As a member of a special subcommittee which made a complete study of our immigration and naturalization systems, I became intimately acquainted with many and varied groups that are interested in immigration matters and the subtle ways in which pressures are exerted in hopes of obtaining special privileges and preferred treatment. That subcommittee made the recommendations to the Congress which ultimately were incorporated into the Immigration and Nationality Act. Since 1956, I have been chairman of the Immigration and Naturalization Subcommittee, and not only have I observed, but I have had to resist continually, these relentless yearly efforts to scrap our immigration laws or pass special enactments for special groups of aliens in order to gain what is thought to be a political advantage. The fact that such precipitate action might undermine our sound system of immigration laws is lost sight of in the hot pursuit of minority bloc votes.

Over the course of the past several years, there have been a number of special enactments to take care of certain harship situations which arose in the administration of the immigration laws. For example, there was a special enactment to offer relief to certain distressed aliens in the Azores and certain Indonesian refugees in the Netherlands. There were several enactments to facilitate the reunion of families by providing special visas for certain relatives of U.S. citizens and lawful permanent residents. In addition, relief through special enactments was granted to a large number of Hungarian refugees and many other refugees from Communist oppression. In all these cases the result was that more immigrants were permitted to enter the United States. Mr. President, you would think that after such acts of generosity on the part of this Nation perhaps the pressure would be relaxed, but that is never the case. Immediately upon receipt of that bounty, the recipients sent out a cry for more. There is always the cry that unless more aliens are admitted from special groups, families will be separated for years and the hardships will be unbearable. But we have seen that this demand is insatiable. We have also seen that when the politicians prevail and legislate in the anticipation of compensatory votes at the polls, we always find that an even greater pressure is created for the admission of more and more aliens. To continue to follow such a course of political expediency can only lead to disaster.

It has been claimed by some that those who advocate immigration reforms demonstrate great political courage and that there is no political mileage to be gained from attacking our present system, but rather that overt action could be politically damaging. To accept such a line of reasoning one must be really politically naive, and I would most certainly not place the Members of this body in that category. Nor do I for one moment believe that the thoughtful people of this Nation fail to recognize the political implications of the so-called drives for immigration reforms. It is no secret that both national political parties have "nationalities" divisions which actively direct the efforts of pursuing the votes of the hyphenated nationalities groups in our population. Those groups are concentrated in our big urban centers. Is it any wonder then that we are told that we must have immigration reforms which will favor those groups? When the politicians are so busy, how can one say there are no political motivations behind the reform movements?

We now have before us the bill, H.R. 2580, which has been hastily passed by the other body and sent over to this body with the command that the Senate adopt it in equal haste. This bill, Mr. President, in my opinion, is not a good bill and is deficient in many respects. I intend to oppose it. The bill, H.R. 2580, is an original bill which was reported by the Subcommittee on Immigration and Nationality of the House Committee on the Judiciary and has not been the subject of hearings in either the House or the Senate. The bill before the House committee in the hearing stage bore the same number, H.R. 2580, but as stated in the House report—No. 745—the committee reported an original bill to the House, which was promptly adopted with only minor changes. The bill bears little resemblance to the original proposals made by the administration, which were contained in the bill, H.R. 2580, and the companion bill, S. 500, which was before the Committee on the Judiciary of the Senate. Extensive hearings were held by both the House and Senate Committees on the Judiciary on the administration proposals contained in S. 500, and the original H.R. 2580, but the testimony received in those hearings has little relationship to this new bill which is before the Senate today.

As a matter of background, I feel that I should advise the Senate of the immigration matters which have been before the Committee on the Judiciary in this session of the Congress. By doing this, I feel that the Members of the Senate will readily discern the hasty manner in which the present version of an immigration bill has evolved. The divergent views represented by the proposals before the committee, in my opinion, illustrate the confusion which is present in the continuing effort to destroy the present quota system.

There were pending before the Subcommittee on Immigration and Naturalization 11 measures introduced in the Senate which would have modified in some manner our immigration or naturalization laws. Three of these proposals, namely, S. 500—the administration bill, S. 436, and S. 1093, represented the continuing assault upon the national origins quota system as embodied in the Immigration and Nationality Act. Later on, I intend to discuss more fully the implications of H.R. 2580. At this point, since I do not feel it necessary to discuss in detail the three bills mentioned previously, I shall merely point out the general background in the committee of the bill, S. 500, which has been so easily set aside in favor of H.R. 2580.

The bill, S. 500, to amend the Immigration and Nationality Act, commonly referred to as the Kennedy-Johnson bill, since it embraces the recommendations made by the late President John F. Kennedy, as well as those of the present

occupant of the White House. Similar recommendations were contained in the predecessor bill, S. 1932, 88th Congress, which was introduced on July 24, 1963, by Senator HART for himself and 26 other Senators. The bill, S. 500, did not embody a comprehensive revision of the Immigration and Nationality Act, but had as its primary purpose the abolishment of the national origins quota system and the substitution of a new system for the allocation of quota numbers. Briefly, over a 5-year period, the present annual quotas would be reduced 20 percent each year with the numbers resulting from the reduction being placed in a "quota reserve." The numbers in the quota reserve would be issued without regard to nationality on a "first-come, first-served" basis. Thus in the fifth year after enactment there would no longer be national quotas as such, but all visas would be issued on the first-come, first-served basis under a system of preferences for certain relatives of United States citizens and aliens lawfully admitted for permanent residence and certain skilled aliens. Prior to the beginning of this abolition through reduction plan, the minimum quotas under the present quota system would be increased to 200 for each minimum quota country, which would result in an increase in the present overall quota of 158,561 to approximately 166,000. In addition, the bill would have substantially enlarged the nonquota classes of aliens and the number of refugees who could enter the country each year. Total immigration under this bill would, therefore, be increased substantially.

As a matter of interest to the Members of this body, and as background for our examination of this entire subject, I would like to refer briefly to a bill in the 88th Congress, S. 747, to amend the Immigration and Nationality Act, which was introduced by Senator HART on February 7, 1963, for himself and 34 other Senators. Senator HART had previously introduced an almost identical bill, S. 3043, in the 87th Congress. Before the advent of the bill, S. 500, and its predecessor, S. 1932, which recently appeared to be the major vehicle of the immigration reformists and the politicians, this measure, S. 747, appeared to have the blessing of those bent upon repeal of the present national origins quota provisions of the Immigration and Nationality Act and replacing it with a new quota formula.

S. 747, or the Hart bill, as it was commonly referred to, also was primarily concerned with reforms in the immigration laws which would change the manner by which quotas are established and which would increase the number of aliens admitted as immigrants. The present quota would have been increased from 158,261, to an overall quota of 250,000 annually. Of that number 50,000 quota immigrant visas would have been made available to certain refugees and the remaining 200,000 immigrant visas would have been distributed under a quota formula based on, first, the relationship of the population of each quota area to world population, and second, the relationship of the number of immigrants who entered the United States from each quota area during the 15 years preceding the effective date of the act to the total number of immigrants who were admitted during such 15-year period. Other provisions of this reform bill would have enlarged the nonquota classes and provided for the complete utilization of quotas through the pooling of unused quotas, all of which would have had the effect of substantially increasing the number of aliens who could be admitted annually.

When Senator HART introduced S. 747 in the 88th Congress he characterized it as a reform bill which "follows closely the counsel and wisdom of America's foremost immigration specialists." It was said to be "in line with the estimates of our leading economists both in government and in the private sector, regarding the number of immigrants this country can absorb." He then paid tribute to the American Immigration and Citizenship Conference and its affiliated organizations for the major role that organization had played in the development of this measure. He pointed out that an ad hoc committee of the American Immigration and Citizenship Conference had given 2 years of intensive study to American immigration policy and that the proposals contained in S. 747, and its predecessor, S. 3043, closely followed the recommendations of that organization. Yet, Mr. President, we find that many of the sponsors of this measure quickly abandoned their position based on the allegedly extensive, thorough, and searching study of American immigration policy by the American Immigration and Citizenship Conference and its many affiliated voluntary service organizations and community, civic, and labor organizations and embraced the proposals for the destruction of the national origins quota system contained in S. 1932 in the 88th Congress, which was introduced only 6 months after the introduction of S. 747. The abandonment so hurriedly of a position that was claimed to be based on the considered opinion of some of the best minds in the immigration field as the proper approach to immigration reforms in order to embrace the hastily conceived proposals contained in S. 1932, and now embodied in S. 500, indicates to me that those in the forefront of the demands for immigration reforms by their vacillations are sure of only two things: First, they want to abolish the national origins quota system and, second, they want to admit more immigrants. Such experimentation as this will never produce good legislation.

Mr. President, the bill, H.R. 2580, has as its purpose not only an increase in the flow of immigrants into the United States, but also the alteration of the pattern of that flow. It seems to me that our national welfare and the security of this country demand that we approach this question of immigration reforms sensibly and sanely lest we, as the nation we know, perish. In my opinion, we must have detailed findings as to how many immigrants we should admit and from what areas we should admit them. These findings must be impartial and unbiased and based on scientific facts rather than political opinion if we are to maintain a sound immigration system which will serve the interests of every part of this Nation. In my opinion, it would be a grave mistake if we proceeded with haste to adopt new concepts unsupported by detailed factual surveys and studies. Certainly, there are opponents of the McCarran-Walter Act but no one can say that that act was enacted in haste and in the political arena. A 5-year investigation of every aspect of the immigration question in the United States, which was both extensive and intensive, preceded the enactment of that law. Its enactment was resisted to the last ditch, and I am firmly convinced that both its enactment and its ability to withstand subsequent assaults is the result of the fact that it had as its foundation a solid basis of findings which were impartial and unbiased. It would be extremely foolhardy for this body to proceed to a consideration of any of the pending measures without similar findings upon which to base its action. Sound legislation has never been the result of hasty and reckless action, and I sincerely hope that each of you will ponder well the disastrous results that could flow from the precipitate course that is being urged upon us.

Let us now take a look at the bill before us to see just what it proposes to accomplish. From a study of the proposal, it is my understanding that H.R. 2580 would make the following basic changes in the Immigration and Nationality Act, and in making such changes would substantially modify the present immigration policy of this Nation:

First. (a) The present system of national origin quotas is to be abolished on June 30, 1968, and a new selective system is established giving priorities to close relatives of citizens and alien residents, members of the arts and professions, needed skilled and unskilled workers, and refugees.

(b) In the interim 3-year period national origin quotas remain in effect, but the unused quota numbers are pooled and allocated under the new system of preferences to intending immigrants from oversubscribed quota areas.

(c) Spouses, children, and parents of U.S. citizens are to be admitted without numerical limitation as immediate relatives.

(d) Natives of independent countries of the Western Hemisphere are to be admitted quota free as special immigrants for an additional period of 3 years. On July 1, 1968, a numerical limitation of 120,000 annually would be placed on immigrants from independent countries of the Western Hemisphere unless the Congress enacts legislation providing otherwise prior to that date. A Select Commission on Western Hemisphere Immigration is established to be composed of 15 members—the Chairman and 8 members to be appointed by the President; 3 members to be appointed by the President of the Senate; and 3

members to be appointed by the Speaker of the House. This Commission shall study all aspects of Western Hemisphere immigration and report its findings to the Congress on July 1, 1967, with a final report on January 15, 1968.

Second. An annual numerical limitation of 170,000 is placed on the admission of immigrants from Eastern Hemisphere countries, other than immediate relatives and including 10,200 refugees who may be granted conditional entries. Immigration from any foreign state outside the Western Hemisphere, exclusive of immediate relatives, is limited to 20,000 annually.

Third. After June 30, 1968, the 170,000 immigrant visas will be allocated on a worldwide, first-come, first-served basis under the following system of preferences:

(a) Twenty percent to unmarried sons and daughters of U.S. citizens.

(b) Twenty percent to spouses and unmarried sons and daughters of lawful alien residents.

(c) Ten percent to members of the professions, arts and sciences.

(d) Ten percent to married sons and daughters of U.S. citizens.

(e) Twenty-four percent to brothers and sisters of U.S. citizens.

(f) Ten percent to needed skilled and unskilled workers.

(g) Six percent to refugees from communism, the area of the Middle East and natural calamity.

Any numbers not required for issuance to the preference classes are available to nonpreference applicants.

Fourth. The special Asiatic triangle provisions of existing law are repealed.

Fifth. The Fair Share Refugee Act is repealed and all refugees henceforth must enter conditionally.

Sixth. In the case of aliens who seek to enter the United States to be employed, the Secretary of Labor must certify, on an individual basis, first, that there are not available American workers to fill the particular jobs, and second, that the admission of the alien workers will not adversely affect the wages and working conditions of the American worker.

Seventh. Aliens who are mentally retarded may be admitted by the Attorney General under proper safeguards if they are the spouses, children, or parents of citizens or lawful alien residents. Epileptics are removed from the excludable class of aliens.

Eighth. Alien crewmen are made eligible for adjustment of their immigration status under section 244 of the Immigration and Nationality Act.

Ninth. Aliens who have resided in the United States prior to June 28, 1958, are made eligible for adjustment of immigration status under registry proceedings of section 249 of the Immigration and Nationality Act.

Tenth. Natives of Western Hemisphere countries in general are denied the privilege of adjusting their status under section 245 of the Immigration and Nationality Act, but refugees from such countries may adjust.

Since this bill has the blessing of the administration, I believe it would be appropriate at this time to refer to the message of the President of the United States which he sent to the Congress on January 13, 1965, requesting amendment of the Immigration and Nationality Act. In that statement the President said:

> The principal reform called for is the elimination of the national origins quota system.

There could be no doubt in anyone's mind after reading the proposed bill that it would accomplish the purpose desired by the President, for it is crystal clear that the national origins quota system would be abolished. Since that is true, my purpose will be to take a careful look at the act to see what its substitute would be. In doing this, let us bear in mind the words of the President that:

> The fundamental longtime attitude has been to ask not where a person comes from but what are his personal qualities.

As used in the context of his message requesting that all forms of discrimination be removed from the law, we would expect, therefore, that the bill before the Senate would not only abolish the national origins quota system, but would replace it with a law which would make no distinction between the peoples of the earth because of their place of birth in any form whatoever.

In an attempt to carry out the request of the President, we find that section 2 of the bill has amended section 202 of the Immigration and Nationality Act to provide as follows:

> (a) No person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence, except as specifically provided in section 101(a)(27), section 201(b), and section 203: *Provided*, That the total number of immigrant visas and the number of conditional entries made available to natives of any single foreign state under paragraphs (1) through (8) of section 203(a) shall not exceed 20,000 in any fiscal year: *Provided further*, That the foregoing proviso shall not operate to reduce the number of immigrants who may be admitted under the quota of any quota area before June 30, 1968.

Mr. President, in all of my experience in the Senate of the United States, I believe that language is the most unique I have ever seen in a statute. Note that it begins "No person shall receive any preference or priority or be discriminated against" and then it lists numerous instances in the act which are discriminations but which are specifically exempted from the antidiscrimination policy. First to be exempted from the bar against discrimination are the natives of Western Hemisphere countries. In the case of these aliens they will be quota free for the next 3 years while all other aliens from other parts of the world, other than immediate relatives, will be subject to a number of limitations. Second, we find that there is a category of aliens designated as immediate relatives who include the children, spouses, and parents of citizens of the United States who will not be subject to the numerical limitations applicable to other aliens. Third, we find that the bill establishes a system of 7 preferences within the numerical limitation of 170,000 with fixed percentage allocations to each preference category which, in effect, establishes priorities among the group as between persons with definite family relationships, persons with definite skills and persons who are in a refugee status. Fourth, a numerical limitation of 20,000 per year is fixed for any foreign state, but that limitation is not applicable for 3 years if it reduces the present quota of any quota area. It is difficult for me to see, Mr. President, how anyone could possibly have written so many discriminatory provisions in one section of a law under the expressed policy of eliminating discrimination in the allocation of quota or visa numbers.

But, Mr. President, if one should feel that perhaps there must be a certain degree of discrimination in any law, let us look further at this particular proposal and you will be amazed at the instances of discrimination that appear throughout it. There is a provision designed to strengthen the protection of the American worker from an influx of skilled or unskilled workers from abroad. Under that proposal the intending immigrant must present a certification from the Secretary of Labor that he will not displace an American worker and that his employment will not adversely affect the wages of American workers. In order for this provision to be nondiscriminatory one would immediately assume that it would be applicable in the case of all immigrants. But such is not the case. The drafters of this proposal well know that such a policy would create many more problems than it would solve. So we find that the bill contains a complicated system of exemptions from the provision. Specifically, the provision only applies to natives of Western Hemisphere countries other than parents; spouses or children of citizens of the United States or lawful resident aliens; to members of the professions, arts, and sciences; skilled or unskilled workers; and most nonpreference immigrants. In other words, it will probably not be applicable in as many cases as it will be applicable. Let us look at the different manner of application to different groups of aliens:

First. Exempted from the requirement in all cases are "immediate relatives" which include spouses, children, and parents of U.S. citizens;

Second. In the case of aliens from the areas outside the Western Hemisphere in addition to the immediate relatives an exemption is made in the case of unmarried sons and daughters of U.S. citizens, married sons and daughters of U.S. citizens, spouses and children of alien residents, and brothers and sisters of U.S. citizens;

Third. In the case of immigrants from the Western Hemisphere the exemption extends only to parents, spouses, and children of U.S. citizens and alien residents. Thus, unmarried sons and daughters, married sons and daughters, and brothers and sisters of U.S. citizens would be subject to the special labor provision.

Fourth. I believe that I should also call to the attention of the Members of

this body the manner in which this labor provision would be applied in the case of new seed immigration as compared to the treatment of the preference class of brothers and sisters residing outside the Western Hemisphere. In the case of a nonpreference immigrant who is the head of a healthy family and who has a fervent desire to immigrate to this land of opportunity, the bill would require that he obtain a certification from the Secretary of Labor that he would not displace an American worker or adversely affect the wages of American workers if he came to the United States to engage in the same employment in order to support his family. That is the immigrant we hear so much about and whom the supporters of the bill have so frequently described as the immigrant who built this country from the wilderness; and yet it is obvious that under the proposed legislation he would have little chance of gaining entry in view of the continuing unemployment situation here. On the other hand, take the case of a brother of a U.S. citizen who has an equally healthy family consisting of a wife and three or four children whom he must support after he enters the United States. In his case, if he resides outside the Western Hemisphere he is not required to obtain the certification from the Secretary of Labor but may enter upon the assurance of his citizen brother that he will not become a public charge after entry. But obviously such a man must work to support his family and he will be permitted to enter regardless of whether he will displace an American worker. Is this not only discrimination against the two alien families, but also the American worker who may remain unemployed or even lose his job?

Furthermore, it might well be discrimination against the interests of the United States because it is quite likely that the better qualified alien family would not be permitted to enter.

Mr. President, there is another aspect of the bill which has not received much attention in the course of the hearings either in the House or in the Senate. Much has been said about the fact that the bill does away with the national origins quota system and places the opportunity to immigrate to the United States on a first-come, first-served basis but I ask whether that is really the truth. Immigration during the interim period when quotas are phased out and when the new provisions become effective 3 years hence in their entirety, will be based upon the registration date of immigrants on waiting lists at the consulates around the world. It is well known to those who are familiar with the immigration problem that the heaviest registration for many years has occurred in a limited number of countries where the pressures and encouragement to immigrate have been the greatest. In fact, in many of the low-quota countries, immigrants have been discouraged from registering on the waiting lists. The heavily oversubscribed countries will preempt the available visa numbers under the first-come, first-served basis for many years under the new proposal. In order to remove this discrimination in the treatment of aliens in different areas of the world, if that is what the proponents really want to do, it would be logical and consistent to provide for a reregistration of all intending immigrants on a given date. Then truly the immigrant visas would be made available on a first-come, first-served basis. But nowhere in the testimony received by the committee was such a proposal made by those who advocate the elimination of the national origins formula which provides fixed numerical quotas for every country determined by fixed mathematical formulas equally applicable to all areas of the world.

Mr. President, now let us look at another provision of the proposed legislation which would modify the existing provisions of section 245 of the Immigration and Nationality Act which, in general, provide an administrative procedure for the adjustment of status of aliens who have entered or who have been paroled into the United States and desire to have their status adjusted to that of permanent residents. At the present time, this method of adjustment is not available to natives of contiguous territory and adjacent islands. Under the bill, H.R. 2580, in section 13 this form of administrative relief is denied to all natives of Western Hemisphere countries. I ask, Mr. President, does it not seem a little odd that a person from Italy who enters the United States as a bona fide visitor and then decides to remain in the United States may have his status adjusted under this administrative procedure when he has come from a country 4,500 miles away while on the other hand a native of Argentina, who has come from a country 6,000 miles away would not be eligible for the adjustment. To me, this is an obvious case of rank discrimination against persons because of their place of birth and yet we were asked and told that the law must be changed to remove all discrimination from our immigration laws which would make distinctions between the peoples of the earth because of their place of birth. This discrimination is made even worse by the fact that under the Immigration and Nationality Act both the native of Italy and the native of Argentina may apply for this adjustment. This is really progress, Mr. President. Elimination of discrimination from the law when we are in fact adding this new form of discrimination. If this is discrimination under section 245, Mr. President, let us take a further look. It will be noted under the language of section 13, which amends section 245 of the Immigration and Nationality Act that refugees from Western Hemisphere countries are eligible for an adjustment under this same section 245. This language, of course, would include Cuban refugees who have been paroled into this country under the program which has been in existence for several years and under which approximately 225,000 Cuban refugees have been permitted to reside in the United States. At the present time, this form of relief is not available to them as native of an adjacent island, but under the bill before us it would become available. The joker, however, is that under this form of relief a record of lawful admission is created for the alien as of the date of the adjustment. Now let us look at another section of the proposed bill. Under section 3 of the bill section 203 of the Immigration and Nationality Act is substantially revised and among the preference classes created is one for refugees. Such refugees are granted conditional entries and under paragraphs 203 (g) and (h), as amended, their status may be regularized after 2 years' residence and a record of lawful admission created as of the date of the original arrival in the United States. Thus in one case, a refugee would be given credit toward naturalization for the time he has resided in the United States while waiting for his adjustment, and in the other case he would not be granted such credit for naturalization purposes. A Cuban refugee, therefore, might have to reside in the United States 7 years before he could obtain naturalization, while a similarly situated Cuban or other refugee who entered under the new provision will have to wait only 5 years. The basis for this discrimination is not apparent.

Mr. President, there is another provision in H.R. 2580 which, in my opinion, has not received enough attention. Section 1 of the bill amends section 201 of the Immigration and Nationality Act and completely revises it. Section 201(c) as revised provides that during the 3-year interim period subquota areas are to be limited to 1 percent of the maximum authorized visa numbers available to the mother country. Under existing law, colonies and other dependent areas which are classified as subquota areas have access to the quotas of the mother countries to the extent of only 100 quota numbers per year, which places them in the same category as the minimum quota countries. Under the language of H.R. 2580, it seems inescapable that during the 3-year interim period the application of the formula for the subquota areas of 1 percent of the maximum numbers available to the mother country will create some rather unusual and unique results. For instance, the present quota of Great Britain is approximately 65,000 per year and therefore that would be the maximum number of visas available to Great Britain during the 3-year period. Applying the 1-percent formula, each subquota area under the quota for Great Britain would have available to its natives for use in each fiscal year a total of 650 visa numbers. It is interesting to note that there are 15 subquotas under the quota for Great Britain and each subquota has access to 650 visa numbers annually. Therefore, a total of 9,750 numbers will be available to the subquota areas annually as compared to the present total of 1,500. I might just name a few of the subquotas involved: Antigua with a subquota of 100 would have a quota of 650; British Guiana with a subquota of 100 would have a quota of 650; British Virgin Islands with a subquota of 100 would have a quota of 650; to name only a few. But now let us take a look at some of the other quota areas. Greece, for instance, during the

3-year period would have an annual quota of only 308. Japan will have an annual quota of only 185. China will have only a quota of 105. Portugal will have a quota of only 438. Spain will have an annual quota of only 250. Turkey will have a quota of only 225. Mr. President, it seems to me a little unusual and a form of discrimination to make such large numbers available to the colonies and dependent areas while the quotas of many of the independent countries which are among this Nation's best friends receive no comparable increase. Mr. President, this is not just my own understanding of the effect of this provision of the new bill, as a similar interpretation has appeared in an official State Department memorandum.

Mr. President, the proponents of H.R. 2580 have placed a great deal of emphasis on the pattern of immigration since the Immigration and Nationality Act became law in 1952 in attempting to demonstrate the necessity for changing the present quota law. As I previously pointed out, 3,108,538 immigrants have entered the United States under the Immigration and Nationality Act. Of that number 1,082,833 entered as quota immigrants and 2,025,705 as nonquota immigrants. It is the large number of nonquota immigrants which gives rise to so much concern by the sponsors. It is alleged that because of the inequities in the national origins system, Congress was forced to enact special legislation during the period since the Immigration and Nationality Act became law to alleviate the hardship cases, and as a result the admission of 2,025,705 aliens in a nonquota status clearly establishes the national origins quota formula to be outdated and out of step with reality. This is not so, because they fail to recognize that only 382,045 of the total of 2,025,705 nonquota immigrants entered under special enactments. The bulk of those nonquota immigrants, or roughly 1,643,660, entered under the permanent nonquota provisions of the Immigration and Nationality Act. Those are the provisions which the framers of the Immigration and Nationality Act recognized as desirable to include in the permanent law, although it was known that they would increase total immigration. For obvious compassionate reasons, it was accepted as necessary to permit wives, husbands, and children of U.S. citizens to enter without restriction. For reasons of "good neighborliness," it was agreed to permit natives of independent countries of North, South, and Central America to enter free of the quotas. Likewise, quota restrictions were not imposed upon the free movement of ministers of religion and their families. These policies are imbedded in the national origins quota law and it is under them that the bulk of the nonquota immigration has entered the country. There is just no justification for saying that the quota law must be scrapped because a significant number of aliens were admitted outside of the quotas under special enactments of Congress. Those enactments were special acts of generosity in response to appeals to grant relief in particular situations after careful study and I feel that they should only be treated as such.

Now, Mr. President, let us take a look at the new quota formula provided in H.R. 2580. It is said that enactment of this quota scheme will remove "the 1952 act's well-known restrictive provisions against immigrants from eastern and southern Europe," but I defy anyone, from reading the Immigration and Nationality Act, to find any special restrictive provisions against immigration from those areas. Certainly, the law embodies a policy of restriction, but as we have seen, restriction has been the accepted policy of this Government for decades. The quotas of each quota area are established under a formula which is applied in identically the same fashion to all other quota areas in the world without mentioning any country by name, and yet it is said that the law restricts immigration from particular areas. The truth is that it restricts immigration from all areas, under a uniformly applied rule, and that is as close as any law can get to being nondiscriminatory. Quotas for one country may be larger than quotas for another under the national origins formula, but the same will be true under the formula provided in H.R. 2580. Thus, basically, it boils down to the question of whose ox is being gored.

It is said that the new formula would be based on equality and fair play, but would it? In the eyes of the smaller country is it equal and just to give the larger share to the larger country? In the eyes of the newer country is it fair and just to give the larger share of the quota to the older countries because they have had immigration opportunities for many years and have longer waiting lists? It seems to me that the answers to those questions are quite obvious. It is inevitable that the quotas will be different, and as long as they are, some will say they discriminate and, unfortunately, most of these charges originate in our own country. Quite obviously, the only quota law which could possibly treat all Nations equally is one which would provide an identical quota for each country. Such a law would not be subject to a charge of discrimination, but I doubt seriously whether it would receive any support. The test of whether the law is fair or just, Mr. President, is not whether it discriminates, for all quota laws will, but whether the law discriminates unreasonably or unjustly. The national origins quota formula is applied in the same manner to all without qualification, and as long as it is so applied it is certainly not subject to a charge of unreasonable or unjust discrimination. One may disagree with the policy of the law, but I fail to see how any workable quota could provide any more uniformity of treatment of the nations of the world.

There is another interesting aspect of the system provided in H.R. 2580. In allocating visa numbers, this Nation would look first to the desires of the people of other countries to come to the United States, and visas would be allocated on a first-come, first-served basis. Under the national origins quota, we look first at the composition of the population of this country; then we say that each country shall have a quota fixed on the basis of the ratio of the number of persons in the United States in 1920 attributable by nationality to a given country to the population of the United States, or reduced to the mathematical formula of one-sixth of 1 percent of the persons of the nationality of that country in the United States in 1920. In other words, we hold up a mirror and look at ourselves and base the quotas of those who wish to join us on what we see.

Mr. President, for the life of me, I cannot see how it can be said that it is discriminatory to base the numerical quota on factors derived from the population of this country. I do not apologize for the fact that, as an American, I feel that we should and must give due recognition to the composition of the population of this country in fixing our quotas. That is what the present quota law does and that is why I believe it to be sound and in the best interests, not only of this country, but also of the rest of the world.

Mr. President, there are many other provisions in H.R. 2580 which, in my opinion, should be brought to the attention of the Members of this body, because I feel that they are a cause of real concern. We are all familiar with the continual attempt that is being made to erode the constitutional powers of the Congress. Whenever authority is delegated to those groups charged with administration of a law, I feel it is my duty to point out the areas of possibility of abuses of such authority.

As I have pointed out before, H.R. 2580 will eliminate the national origin quotas and substitute therefor an overall numerical limitation of 170,000 visa numbers per year for areas outside the Western Hemisphere exclusive of immediate relatives. The allocation of those numbers will be made in accordance with the multitude of preferences set forth in the act. The preferences insofar as they relate to relatives are so designed that if not used by one relative preference group, then they automatically become available to other preference groups. Priority in the issuance is to be determined by the date of the filing of the relative preference petition. It seems to me, Mr. President, that since the total quota of 170,000 will be allocated on a worldwide basis upon the basis of these many preference petitions, a great deal of confusion will result. The bill itself provides that the Secretary of State will be permitted to base the quarterly allocation of visas to the extent necessary upon estimates based upon reports received from the consular officers all over the world. He is then faced with the monumental task of allocating the visa numbers to the various applicants under the numerous limitations provided in the bill. These include not only the limitations on each preference group, but also the numerical limitation applicable to each country. The manner in which the plan will work, therefore, Mr. President, will depend to a very large degree upon the ability of

the estimator to estimate. In other words, to put it more simply, there will be much, much discretion vested in the administrators as to how these numbers will be dealt out to the various applicants.

Mr. President, there is another unusual provision in the bill which seems to leave a great deal of discretion in the hands of the administrators. The section of the bill which provides for the allocation of 6 percent of the quota numbers for conditional entries to be granted refugees contains a proviso that in lieu of the total number of conditional entries authorized, immigrant visas in a number not to exceed 50 percent may be made available to refugees in the United States. This language is unique in two respects. The first is that immigrant visas can only be issued by consular officers and consular officers are only present at posts outside the United States; and second, no provision is made for the adjustment of the status of these refugees to whom the visas are made available. In other words, in the absence of specific language, an interpretation would be required by the administrators of the law. The framers of the bill must have had something in mind with reference to the manner of adjustment and if so, why was it not written into the law where it properly belongs? The conclusion is that this is another instance of where the framers desired to retain for the administrators the authority to write their own rules.

There is another provision in H.R. 2580 which I believe should be viewed with some alarm. Under the Immigration and Nationality Act, as you all know, all immigrant applicants have always received fair treatment because of the specific provisions that their applications must be processed strictly in accordance with the priority of their registration on quota waiting lists. This becomes particularly important to the nonpreference quota applicants where the demand has always exceeded the supply. Under the language of H.R. 2580, the numbers made available to the nonpreference category will be issued strictly in the chronological order in which they qualify. It would seem quite obvious that this is another instance where a great deal of discretion is left in the hands of the administrators to determine when and whether a particular applicant is qualified and to be granted priority by administrative order rather than by law as at present. I do not believe that this reaction of mine is at all unfounded in view of a statement I have seen by an official of the Department of State concerning the application of this new provision to the effect that new applicants in a particular area or foreign state will have an equal opportunity with all present applicants who are on the waiting lists in the order in which they qualify. In other words, a new applicant may be qualified far ahead of present applicants on the waiting lists.

Mr. President, my concern over this matter of placing too much discretion in the hands of those charged with the responsibility of administering the quota law results from my observations over the years of how the administrators frequently twist and bend the law to suit their purpose. At this point, I ask unanimous consent to insert in the body of the RECORD complete documentation of such a case, which I believe quite clearly will show that my concern in this regard is not unfounded.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Immigration and Nationality Act is quite specific with respect to the manner in which quotas are to be determined and established. Section 201(a) provides that the annual quota for any quota area shall be one-sixth of 1 percent of the number of inhabitants in the continental United States in 1920 attributable by national origin to such quota area with the proviso that the minimum quota for any quota area shall be one hundred. Section 201(b) specifies that the determination of the annual quota of any quota area shall be made jointly by the Secretary of State, the Secretary of Commerce and the Attorney General, and upon the basis of that report the President shall proclaim the quotas. Section 202(a) makes it quite clear that each independent country, self-governing dominion, mandated territory and territory under the international trusteeship system of the United Nations, other than the United States and its outlying posessions shall be treated as a separate quota area when approved by the Secretary of State. Section 202 (e) sets forth the procedure for the revision of quotas whenever required by any change of boundaries, transfer of territory, or any political change. Since that provision is directly controlling in the case I shall discuss, I shall read it in toto:

"(e) After the determination of quotas has been made as provided in section 201, revision of the quotas shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, whenever necessary, to provide for any change of boundaries resulting in transfer of territory from one sovereignty to another, a change of administrative arrangements of a colony or other dependent area, or any other political change, requiring a change in the list of quota areas or of the territorial limits thereof. In the case of any change in the territorial limits of quota areas, not requiring a change in the quotas for such areas, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all consular offices concerning the change in the territorial limits of the quota areas involved. Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(c)(1), notwithstanding any other provisions of this act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

On January 10, 1964, there appeared in the Federal Register, Presidential Proclamation No. 3569 establishing an annual immigration quota for Malaysia and Presidential Proclamation No. 3570 establishing annual immigration quotas for Algeria and Uganda and a revised annual immigration quota for Indonesia. In response to a request directed to the Secretary of State for information concerning the method used for the determination of the new and revised quotas, I received the following communication from the then Assistant Secretary of State, the Honorable Frederick G. Dutton:

FEBRUARY 17, 1964.

DEAR SENATOR EASTLAND: I want to thank you for your letter of January 23, 1964, to the Secretary of State in which you referred to recently published Proclamations Nos. 3569 and 3570 and requested a detailed report on the method used in determining the immigration quotas for Malaysia and Algeria and the revised quota for Indonesia.

The basic authority for the computations which resulted in the newly proclaimed quotas for Malaysia, Algeria and Indonesia is contained in the last sentence of section 202(e) of the Immigration and Nationality Act, as amended by section 9 of the act of September 26, 1961. This sentence reads as follows:

"Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one or more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(c)(1), notwithstanding any other provisions of this Act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

The new state of Malaysia comprises what was formerly a single quota area (Federation of Malaya) and three subquota areas (North Borneo, Sarawak, and Singapore). Prior to the establishment of Malaysia, each of these component parts of the new quota area was entitled to 100 quota numbers annually and, hence, the new quota of 400 for Malaysia is equal to the total of quota numbers available to that quota area immediately preceding the political change, which took place on September 16, 1963.

The annual quota for Indonesia was increased from 100 to 200 by Proclamation 3570 because of the transfer of Irian Barat (former West New Guinea) from the Netherlands to Indonesia on May 1, 1963. West New Guinea was formerly a subquota area under the Netherlands quota and, as such, was entitled to 100 quota numbers annually as provided in section 202(c) of the Immigration and Nationality Act. Thus the increased quota of 200 for Indonesia is equal to the total of quota numbers available to the components of the new quota area immediately preceding the political change of May 1, 1963.

In the case of the new state of Algeria, which the United States recognized as an independent state on July 3, 1962, the problem of computing a new quota for that quota area presented us with a unique situation. This was so because the territory formerly known as Northern Algeria was one of the very few component areas overseas from the governing country which were treated as an integral part of the quota area of the governing country when the quotas were proclaimed under the Immigration and Nationality Act (Proc. 2980 of June 30, 1952). This being the case, intending immigrants born in Northern Algeria had full access to the French quota of 3,069. Southern Algeria was treated as a subquota area and therefore was limited to 100 quota numbers per year. A strict application of the national-origins formula for computing quotas would have resulted in a minimum quota of 100 for the new state of Algeria. This seemed unrealistic in view of the advantage which Algerians had long enjoyed in relation to the French quota, and not in keeping with the spirit and intent of section 202(e), as

amended by section 9 of the act of September 26, 1961. The main purpose of the 1961 amendment, as the Department understands it, was to minimize the impact of political changes affecting national boundaries so that intending immigrants would be placed in a position no less favorable than they enjoyed prior to the political change. The new quota of 574 proclaimed for Algeria bears the same ratio to 3,069 (quota for France) as the estimated population of Algeria bore to the entire population of the French quota area as of July 1, 1962. The number 574, in other words, is roughly one-fifth of the French quota.

If I can be of further assistance, please do not hesitate to let me know.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

It is the next last paragraph of that letter relating to the determination of the annual quota of 574 for the new state of Algeria which illustrates the manner in which those persons charged with the administration of a law are able to thwart the legislative intent by a strained interpretation. The Subcommittee on Immigration and Naturalization was concerned with the manner in which the quota for Algeria was computed and requested further enlightenment in the following communication:

MAY 14, 1964.

MR. FREDERICK G. DUTTON,
Assistant Secretary,
Department of State,
Washington, D.C.

DEAR MR. DUTTON: This has further reference to my letter of January 23, 1964, to the Secretary of State with reference to Proclamation Nos. 3569 and 3570, and your reply of February 17, 1964; but first I wish to thank you for your detailed report on the method used in determining the immigration quotas for Malaysia and Algeria, and the revised quota for Indonesia.

The Subcommittee on Immigration and Naturalization has expressed some concern with respect to the State Department's rationalization of the method used in the determination of the new quota of 574 annually for Algeria. It is the subcommittee's view that the last sentence of section 202(e) of the Immigration and Nationality Act, as amended by section 9 of the act of September 26, 1961, was added for the sole purpose of assuring to all new political entities an immigration quota at least equal to the total of subquotas or quotas previously available for each of the component parts of such new entity. In other words, in amending section 202(e), Congress was concerned with the quota situation resulting from the combination of minimum quota areas or subquota areas and did not intend that the new provision contained in the last sentence of 202(e) should encompass revisions resulting from the transfer of allegiance of an integral portion of the population of a governing country to that of a new political entity. It is believed that section 202(e), prior to its amendment, adequately covered that situation. This understanding of the purpose of the last sentence of section 202(e) is supported by the following language contained in House Report No. 1086, 87th Congress, 1st session, which accompanied the amending legislation when it was reported by the Committee on the Judiciary of the House of Representatives on August 30, 1961:

"Similarly, anticipating the forthcoming assumption of an independent status by the West Indies Federation, this section of the bill proposes to assure to this or similar new political entities an immigration quota equal to the total of subquotas or quotas now available for each of the component parts of such a new entity.

"To cite an example, upon the merger of Syria and Egypt into the United Arab Republic, the new entity was allocated only 100 quota numbers annually, while prior to the merger, each of the 2 component parts had a 100 quota for itself. This situation will be corrected under section 9 of this legislation."

In addition, that document refers to the views of the State Department contained in reports on similar legislation which appear to be in accord with the subcommittee's understanding.

In the case of Algeria, it is the subcommittee's understanding that historically northern Algeria has been treated as an integral part of metropolitan France and intending immigrants from northern Algeria had full access to the French quota of 3,069. In view of the provisions of section 201(a) and 202(e) of the Immigration and Nationality Act relating to the establishment and the revision of quotas, it is difficult for the subcommittee to find the justification for establishing for Algeria a quota equal to one-fifth of the quota for France on the basis of the ratio of the population of northern Algeria to France without making any corresponding revision in the quota for France as a result of the population transfer.

I would appreciate receiving any further comments you may have regarding this matter at your earliest convenience.

With kindest regards, I am

Sincerely yours,

———— ————,
Chairman.

In reply to that further inquiry the following letter was received from the then Assistant Secretary of State, the Honorable Frederick G. Dutton, which I read:

DEPARTMENT OF STATE,
Washington, June 9, 1964.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate.

DEAR MR. CHAIRMAN: I wish to thank you for your letter of May 14, 1964, making further inquiry with regard to the immigration quota for Algeria (Proc. No. 3570 of January 7, 1964; 29 F.R. 249), and expressing the Subcommittee's concern with the method used by the Department in computing that quota.

The Department's letter of February 17, 1964, in reply to your letter of January 23, 1964, explained that the problem of computing a new quota for the independent State of Algeria presented a unique situation. We realized that the 1961 amendment of section 202(e) of the Immigration and Nationality Act (Public Law 87–301) contemplated political changes similar to those involved in the formation of the West Indies Federation and the merger of Egypt and Syria into the United Arab Republic. However, the language of the amended section 202(e), as interpreted by the Department, allows for a broader application. It refers to political changes involving *one or more colonies * * * or one or more quota areas.* (Italics supplied.) The change of boundaries which resulted in the establishment of the State of Algeria actually involved one quota area; i.e., France, and one subquota area; i.e., southern Algeria. If the statutory language had limited its application to political changes involving two or more colonies or two or more quota areas, as in the case of the West Indies Federation or the United Arab Republic, there would be little room for doubt or misunderstanding.

So far as concerns the annual quota of 3,069 established for France, it was not considered necessary to make a proportionate reduction in that quota when the Algerian quota was proclaimed. The 1920 population base on which the French quota was determined under section 11 of the Immigration Act of 1924 did not include inhabitants who attributed their national origin to Algeria. It represented immigration from continental France only.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

It seems to me that it is quite clear in this case that there is no real foundation in the statute for the conclusion which has been reached through administrative interpretation which completely disregards the legislative history of the provision. The language of the sentence which was added to section 202(e) is not complicated and when read in the light of the statement of the House Committee on the Judiciary when the bill was favorably reported its purpose is obvious. That purpose is to insure that when one or more colonies or one or more quota areas merge, that the new political entity will have the same number of quota numbers available to it as previously were available to the component bodies under the Immigration and Nationality Act. Its purpose is not to make quota numbers available where they had not been available before under any provision of that act. Let me read from the House Report No. 1086 of the 1st session of the 81st Congress which makes this purpose abundantly clear:

"Similarly, anticipating the forthcoming assumption of an independent status by the West Indies Federation, this section of the bill proposes to assure to this or similar new political entities an immigration quota equal to the total of subquotas or quotas now available for each of the component parts of such a new entity.

"To cite an example, upon the merger of Syria and Egypt into the United Arab Republic, the new entity was allocated only 100 quota numbers annually, while prior to the merger each of the 2 component parts had a 100 quota for itself. This situation will be corrected under section 9 of this legislation.

"In reporting on July 10, 1961, on a similar provision contained in H.R. 6300, the Department of State, over the signature of Mr. Brooks Hays, Assistant Secretary of Congressional Relations, recommended the enactment of this provision of the amendment stating as follows:

" 'Section 6 would amend section 202(e) of the Immigration and Nationality Act in two significant respects:

" '(a) It would eliminate the ceiling of 2,000 now imposed on the aggregate of all minimum quotas within the Asia-Pacific Triangle, and

" '(b) It would assure to new political entities an immigration quota equal to the total of quotas or subquotas presently established for each of the component parts which comprise the new entity.'

"The Department strongly favors the amendment (summarized under (a) above) inasmuch as any reduction in quotas as required by existing law would adversely affect the foreign relations of the United States. The prompt enactment of the other amendment to section 202(e) is of particular concern to the Department in view of the imminent independence of the West Indies Federation, now expected in the early part of 1962. Upon gaining independence, the Federation will be entitled to an immigration quota which, if computed under existing law, would amount to 100 compared with a total of 1,000 quota numbers now available to the component areas of the Federation. This reduction would be highly undesirable from a foreign policy point of view. Consequently, the Department strongly endorses the proposed amendment which would authorize an annual quota of 1,000 for the Federation. In the event that H.R. 6300 should not be enacted during the current session of the Congress, the Department urges that this particular amendment be

considered in a separate bill. Otherwise, the United States would be placed in the position of restricting the Federation to a quota of 100 upon its acquisition of an independent status."

Admittedly, the situation in Algeria prior to its independence was unique in that southern Algeria was treated as a subquota area while northern Algeria was treated as an integral part of France and the inhabitants of northern Algeria had full access to the quota of France of 3069. The newly independent Algeria, then, did not result from a merger of one or more colonies or one or more quota areas as contemplated by the new language in section 202(e), of the Immigration and Nationality Act. What occurred was a political change in an area from the Mother country, France, under which Algeria became an independent nation. It is true that quota numbers prior to independence had been authorized for issuance to inhabitants of the area involved under both the French quota and a subquota of that quota for southern Algeria. But does this justify the establishment of a quota of 574 for Algeria on the ground that the new language in section 202(e) guarantees an annual quota for the newly established quota area which shall not be less than the number of visas authorized for the area preceding the political change? There were no specific quota numbers previously authorized for Algeria other than the subquota of 100 for southern Algeria, and so the State Department explains that the new quota of 574 bears the same ratio to the overall quota of 3069 for France as the estimated population of Algeria on July 1, 1962, bore to the total population of France. This new quota is roughly one-fifth of the French quota. The State Department explains that a strict application of the national origin provisions would have resulted in the establishment of a minimum quota of 100, to which it is entitled under the law, but this is considered to be unrealistic. Accordingly, it created a new quota and seeks to justify its action under a provision of the law which is completely inapplicable to the situation with which we are concerned. In other words, the administrators decided what they wanted to do first and then twisted the language of the statute to justify their action calling it a broader application of the provision. Instead of establishing a quota of 100 for Algeria they established a quota of 574, thereby adding 474 unauthorized numbers to the overall quota. If Algeria, as the State Department contends, is entitled to part of the French quota as a result of the political change why was not the French quota reduced to the extent of the numbers transferred as a result of the boundary changes as has been the practice under section 202(e) of the Immigration and Nationality Act? The State Department passes this off lightly by saying that no proportionate reduction was made because the population on which the French quota was based did not include inhabitants who attributed their national origin to Algeria, but was limited to continental France. Then, the question might be asked: Why were the inhabitants of northern Algeria ever permitted to use the French quota?

This raises the question of why Algeria was accorded special treatment. Does this not constitute administrative discrimination against those countries whose quotas have been established under the national origins provisions? Is Algeria entitled to a special quota of 574 while Greece has a quota of 308; Spain a quota of 250; Australia a quota of 100? I hope that I have made my point that it would be exceedingly unwise if not disastrous to accept any proposal which would vest administrative agencies with broad discretionary control over the allocation of quotas. In the situation to which I have just alluded, we have seen an example of the liberties the bureaucrats will take in interpreting any law in order to justify a desired end result. Just imagine what would happen if they had a statute which actually granted them discretionary authority in the allocation of visas among the peoples of the world.

Mr. EASTLAND. In summary, then, it may be observed that the proposed revisions of the quota provisions of the Immigration and Nationality Act contained in the bill, H.R. 2580, constitute a complete reversal of the policy expressed in the national origins quota provisions. The Immigration and Nationality Act provides for a maximum quota with an empirical formula for the allocation of the quota numbers. That formula does not contemplate the mandatory issuance of all numbers made available, but rather that the flow of immigrants up to the maximum will be in accordance with the formula. Under the provisions of H.R. 2580, however, the overall quota of 170,000 will be a minimum quota as the provisions of the bill are designed to insure full use of all quota numbers each year.

Mr. President, this is the loosely drawn bill which we are asked to hastily enact into law for the avowed purpose of destroying the national origins quotas. Why, we must ask ourselves, is there such a burning desire to destroy the national origins quota? We are told that quotas must be eliminated completely and that determination of the order of admission of admissible aliens should be based only on his relationship to persons in the United States, his training and skills and the time of his application. An examination of the measure clearly shows that the idea of quotas has not been abandoned, but only national origin quotas. By the very words of the statute, 1 country may not use more than 20,000 of the overall visa numbers, so that certainly establishes quotas. Does this mean that all men are to be treated the same until 20,000 visa numbers have been used by any 1 country? When that 20,000 limit has been reached, the next man in line for a number in that country is not going to be treated the same as the man in a country where the limit has not been reached. If there are no quotas, then how is it that in section 2 of the bill we find that the provisions of the Immigration and Nationality Act relating to the use of the "mother country" quota by colonies or other dependent areas is to be amended to provide a specific formula for establishing the number of immigrants in such colonies or dependent areas which may be charged to the governing foreign state.

Certainly, the measure recognizes that there will be quotas or limits and that they are bound to be different. Being different, will not the quotas or numerical limitations be subject to a charge of being discriminatory? Will the fact that a different formula is used placate all immigrant peoples when the inevitable result will be to permit more persons to enter from one country than another? Why must we offend our friends by the adoption of a formula under which it is highly probable that occasions will arise when their natives will no longer be able to obtain visas freely as formerly. Will this promote good relations with our friends? This measure does not even provide a minimum quota for all countries, and yet its sponsors say the quota system under the Immigration and Nationality Act is discriminatory and unjust.

This attack against the national origins quota system is not new, for it had been subjected to constant sniping in the decades following its enactment in 1924 and the same charges of discrimination were constantly leveled at it; but yet a two-thirds majority of the Congress approved its reenactment in 1952 when Congress overrode a Presidential veto of the Immigration and Nationality Act. Why then is there this continuing attack which grows more vociferous in election years? Is it really a basic concern of theory or is it in reality a desire for more immigration? I believe it to be the latter.

The national origins quota system allocates to each country of the world, and I emphasize each, an immigration quota of one-sixth of 1 percent of the number of our people who attribute their national origin to that country. Thus we have an invariable exact mathematical formula equally applicable to all countries of the world, with one exception and that is that no country shall be left out, but shall have at least a quota of 100 annually. It has been described as a mirror held up before the American people and as the various proportions of our national origins groups are reflected in the mirror, computations of the quotas are made in accordance with that reflection. Is this discrimination which we find unjust? I think not. Certainly it is discriminate action, but it is action which recognizes the differences among the ethnic groups in our population, and it is not the practice of discrimination in its abhorrent sense.

This formula which treats persons differently, because they are basically different, was not hastily arrived at. There was a special departmental committee which undertook the task in 1924 of determining the ethnic composition of the population of the United States. It did not complete its work until 1929 when it made its report to the President. That committee analyzed the population of the United States and through most careful research and study calculated as exactly as humanly possible how many of the members of our population at that time descended from the English, the Dutch, the Italian, the Polish, the German, the Spanish, the Irish, the Portuguese, the Greek, and so on. The formula placed in effect is the recognition by the Congress that it is in the best interests of this country to maintain as nearly as possible that basic composition. This was the purpose of the numerical limitations imposed under the

national origins formula, and such numerical limitation based on an invariable formula is not unjust discrimination. Those provisions which denied quotas to persons because of race have been removed from our law, and to charge that the present formula is based on a policy of deliberate discrimination is just not based on fact.

Our immigration policy as embodied in our quota law recognizes that people are different and that nations are different and that all have made a contribution to the growth and development of this country, but because of their very differences their contribution has varied. The fact that we recognize that different peoples made different contributions to the great American amalgamation does not mean that we are saying that one is superior to the other. We are saying that we believe that our legal, political and social systems derived from a population composed of persons of those great differences, and that we further believe that the preservation of this new American culture and the fundamental institutions of this Nation can most likely be preserved and strengthened by the preservation of the relative proportions of those different people in our society. Again, this does not mean that we say that one group is superior or another group is inferior, but simply that various groups of people are different. The Immigration and Nationality Act does not set forth any theory of racial or ethnic superiority, nor is there valid ground for saying there is an implication of racial or ethnic inferiority, though some persons for purely self-serving purposes seek to draw such an inference.

Mr. President, I believe that it would be interesting to read a commentary on the national origins quota system which appeared in an editorial in the New York Times on March 1, 1924, when Congress was considering legislation which it ultimately enacted as the 1924 Quota Act embodying national origins quotas:

> In formulating a permanent policy two considerations are of prime importance. The first is that the country has a right to say who shall and who shall not come in. It is not for any foreign country to determine our immigration policy. The second is that the basis for restriction must be chosen with a view not to the interest of any group or groups in this country, whether racial or religious, but rather with a view to the country's best interests as a whole. The great test is assimilability. Will the newcomers fit into the American life readily? Is their culture sufficiently akin to our own to make it possible for them easily to take their place among us? There is no question of "superior" or "inferior" races, or of "Nordics," or of prejudice, or racial egotism. Certain groups not only do not fuse easily, but consistently endeavor to keep alive their racial distinctions when they settle among us. They perpetuate the "hyphen" which is but another way of saying that they seek to create foreign blocs in our midst.

The editorial policy of that newspaper has changed considerably in the passing years but its reasoning then is still valid.

I hope, Mr. President, that it has become quite obvious that the critics of our present immigration policy will find themselves stuck with this spurious label of discrimination which they have been hurling at the national origins quota law ever since its enactment. They shout "discrimination" and then over the years what have they done? They have offered plan after plan to break down the law: unified quota plans; family reunification quota plans; quota pooling plans; population-immigration plans; and ad infinitum. But what has been the result? In all cases the substitutes contained quantitative variations in the selection of immigrants, but those who cried loudest did not advocate unrestricted immigration. This is the dilemma of those who cast these unfounded charges against a formula which is based soundly on the true proportions of the national origins groups in our population. They do not advocate establishment of numerically equal quotas for all countries. They offer a substitute without a sound formula with built-in mechanisms for the allocation of quota numbers by administrative discrimination.

Mr. President, we hear the clamor of the immigration reformists that we must remove the national origin quotas because it offends other nations and damages our foreign relations. It has been stated officially that it would better our foreign relations if we followed a different immigration policy. Do these critics ever attempt to explain the national origins quotas from a position of strength? Do they ever attempt to tell the truth rather than malign this law of ours which many of them are constitutionally bound to uphold and support? No, that is not the way they proceed as Americans.

They engage in continuing campaigns of self-condemnation and unceasingly shout discrimination from the housetops. We have always honored our obligations to the rest of the world and it is time that we started defending our policy rather than apologizing for it. Our domestic strength is our concern and it must not be governed by demands from abroad. If there are claims from abroad that our immigration policy discriminates against the peoples of a particular country, it would occur to me that that country is saying that it does not like the composition of our population and would like to see it changed.

Is this a valid position to respect? There are many policies of this country which will not please all nations and it is a mistake to try to win the approval and love of the outside world through the enactment of such an immigration policy. The pursuit of such a policy would inevitably lead to the weakening of the institutions of this country, and if we do not remain strong, then immigration policy will become a moot question in any event.

Mr. President, the advocates of the proposed revisions of the quota system contained in the bill, H.R. 2580 place much emphasis on the assertion that it will facilitate the admission into this country of aliens with special skills which are needed here. They would lead one to believe that this is a new policy and that it is imperative that we change our quota system in order to grant preferential treatment to those prospective immigrants with much needed skills. I feel that it is my duty to set the record straight in this regard.

Since December 24, 1952, when the McCarran-Walter Act became effective, 50 percent of all the quota numbers have been available for issuance to intending immigrants with special knowledge or skills whose services are needed in this country. This first preference class of immigrants, as they are called, are entitled to use 79,280 quota numbers each year out of the total overall quota of 158,561. The visas for the first preference immigrants are issued on the basis of petitions filed by the prospective employer which establish the aliens qualifications and the need for his services. This selective feature of the quota system permits those who establish the need because of the nonavailability of skilled persons in this country to obtain a preference in the issuance of visas under each quota for qualified specialists or skilled workers from abroad. The concept of asking the aliens what they can do for this country, then, is not new and has formed the basis for the selectivity under the first preference quota for the past decade.

It was after lengthy consideration that the Congress decided that the interests of this country required that at least 50 percent of each quota be reserved for persons needed in the United States because of their special skills of training. The remaining 50 percent of the quotas was made available to close relatives of U.S. citizens and resident aliens.

It is significant, Mr. President, that out of the total of 132 principal quota areas and subquota areas under which visas are available to aliens, 110 of those quotas or subquotas are current at the present time. In other words, if an industry, or a hospital, or a university, or a Government agency needs the services of an alien specialist or skilled worker, no difficulty would be encountered in obtaining a visa under the first preference portion of the quota for 108 countries. It is true that there would be a delay in issuance in the remaining countries, but not for an indefinite length of time. Perhaps it would not be possible to obtain the immediate entry from the Union of South Africa of a physicist to do research in the structure of metal, but it is quite likely that the need could be met under one of the other quotas. The law is not intended to discriminate in favor of skilled persons from particular areas of the world, and I am satisfied that if a need is established a qualified alien can be found under the present quota system.

The present system for according preferential treatment is not so inflexible as it is sometimes alleged. It may not be generally known, but under present procedures if an alien who is temporarily in the country acquires first preference status upon the basis of a petition filed by an employer who needs his services, he will be permitted to remain here so long as he maintains that status even though the first preference portion of the quota to which he is chargeable is

oversubscribed. He will be permitted to carry on his essential work while he awaits the availability of a quota number. In order to accommodate the need, his spouse and children may be paroled into the United States to be with him while he waits. Furthermore, if it is determined that national defense interests warrant such action, a highly skilled technician and his family may be paroled into the United States by the Attorney General if the first preference portion of the quota to which he is chargeable is not immediately available. It seems quite clear to me, Mr. President, that when there is a real need for the specialized or skilled services of aliens in this country, that need can be met reasonably well under existing law while at the same time the interests of our own labor market are protected.

Concurrent with all the publicity for immigration reforms to facilitate the admission of skilled workers there is the demand for reforms to permit the reunifications of families. One might get the impression that the national origins quota system results in the separation of families, but this is far from the truth. The truth is that after 50 percent of each quota is made available to the first preference skilled group the remaining 50 percent is made available to close relatives of U.S. citizens and resident aliens, plus any numbers not used by the first preference. The relatives entitled to the preferences include parents of U.S. citizens, unmarried children of U.S. citizens, and spouses and children of resident aliens. The Immigration and Nationality Act goes even further and provides that if any numbers remain after the specific preference groups have been served, 50 percent of any such numbers shall be available to the brothers, sisters, and married children of U.S. citizens. This latter group is commonly referred to as the fourth preference under the quota.

In view of the fact that much of the criticism of the McCarran-Walter Act stems from the heavy oversubscription of this fourth preference class, I feel that a little clarification should be offered at this time. In the first place, this compassionate feature was added to the law for the first time in 1952 by the Immigration and Nationality Act. The attention of Congress was brought to certain isolated cases where elderly brothers and sisters of U.S. citizens were alone in the Old World and without any preference faced the bleak prospect of never seeing their relatives in the United States again. They were single and in many cases supported by the brother or sister, here. They were not given a true preference, but it was felt that if any numbers remained in the quotas after the preferences had first call, then these older brothers and sisters should have a priority in the use of the nonpreference portion of the quotas to the extent of 25 percent which was subsequently raised to 50 percent. Since they were old and alone it was considered reasonable to include them within the concept of a "family unit" which should be maintained. Similarly, the extension of this small priority to married children of citizens seemed justified. In other words, if any numbers were left over, these relatives of U.S. citizens should have a preference over "new seed" immigrants. It was never contemplated that this class of immigrant applicants would assume the proportions it has today, and create such pressures for measures to permit their entry.

As of July 1, 1964, there were 163,805 aliens who had registered on quota waiting lists under this fourth preference category. This heavy demand was never contemplated and may be attributed to the act of September 22, 1959, which hastily enlarged the fourth preference group to include the spouse and children of the principal applicant. Unfortunately by that action, which was taken in the best of faith in answer to appeals for relief in hardship cases, Congress departed from the time-honored concept of preserving the immediate family unit of the immigrant or the citizen, and extended it to include another family unit.

Thus, Congress through its act of charity, multiplied many times the persons eligible for fourth preference. The class by its nature will continue to increase, and this points out quite clearly the dangers involved in further extensions of the relative preference groups. It is an interesting fact, too, that out of the total fourth preference registrations of 163,805, nearly 114,717 of that number are registered on the quota of one country.

It is true, Mr. President, that some of the quotas are oversubscribed and that certain relatives in those countries face a delay in obtaining visas, but to me those circumstances do not justify scrapping the quota system. In 90 of the 114 principal quota areas, there is no waiting period at all for immediate family groups. In 54 of the countries there is no waiting period for anyone. It is only when you get beyond the "immediate" family groups, such as the fourth preference applicants that any serious difficulty is encountered and, as indicated above, even then only in a few quota areas.

There is one aspect of the preference quotas for each country which I believe is of particular importance and which is glossed over. While 50 percent of each quota is made available for skilled persons, that portion can only be used if the persons are urgently needed in this country. If such persons are not needed, the unused part of the first preference becomes available to the close relative preference cases in each country. In other words, just because a person has skills does not entitle him to displace a relative of a citizen unless a need for his services is firmly established. I believe that this is as it should be and as long as we live in a family of nations each nation should have its quota with a system of preferences which serves American industry by providing highly skilled workers; which preserves the immediate family unit of immigrants from that nation; and which protects the American worker in the skilled, semiskilled and unskilled classes. All these things the Immigration and Nationality Act has done and is continuing to do.

We have no cause to be ashamed of our immigration policy. Since the enactment of the Immigration and Nationality Act in 1952 through June 1964 a total of 3,108,538 immigrants have entered the United States under the provisions of that act and special enactments. Of that number 1,082,833 were quota immigrants and 2,025,705 were nonquota immigrants. That is a larger share of immigrants than any other nation has received. The number of admissions as nonquota immigrants, most of whom entered under the regular provisions of the Immigration and Nationality Act, is of particular significance. Over 55,000 natives of Japan entered as immigrants while the quota for that country is 185 annually. Over 27,000 have entered from the Philippines and the quota of that country is 100 annually. Italy has an annual quota of 5,666, but over the 11-year period over 243,000 immigrants entered from that country. From Greece with a quota of 308, there came over 53,000. Portugal has a quota of 438, but over 31,000 have entered from that country in the 11-year period. China has a quota of 105, but over the 11-year period 46,000 immigrants entered from that country. That is a good record and yet it is said that we are making enemies abroad through our immigration policy.

It is claimed that the increase in the number of aliens who would enter under H.R. 2580 would be more modest than under some of the previous proposals, but they would still be substantial. The quota would rise from 158,561 to 170,000. By extending nonquota status to adjacent islands which have recently acquired independence, it is estimated that approximately 15,000 nonquota immigrants would enter. We could expect approximately 7,300 parents of citizens under the new nonquota status. To these increases we would add 55,000 immigrants which represents the average quota numbers which have been unused in past years and would now be used. Thus, in the first year of the operation of H.R. 2580, should it be enacted, we could expect an increase in immigration of approximately 77,300, plus a substantial number of Asiatics who are natives of Western Hemisphere countries and who would enjoy nonquota status for the first time. From this latter group we could expect over 5,000 in the first year alone. Last year immigration totaled 292,248, and when we add almost 85,000 more a year, immigration will certainly approach 375,000. And mark my word, should this effort prevail, it will follow as surely as the night must the day, that in the next Congress the effort will be to increase the overall number.

Before seriously considering any measure which would increase the number of immigrants to be added to our population, we should ask ourselves some very searching questions.

In view of the level of unemployment, should we increase the rate of immigration?

In view of the threat of increases in unemployment in the future as the result of automation should we at this time increase immigration?

In view of the population explosion that is taking place in this country, should we accelerate it artificially by increased immigration?

In view of the shortage of classrooms in schools and institutions of higher learning, should we increase immigration?

In view of declining natural resources, do we need increased immigration?

In view of the growing threat of a water shortage through increased consumption and contamination, do we need increased immigration?

Mr. President, I believe this country has certainly taken its share of the oppressed and others desiring to join our community of peoples and it has done so gladly. However, no single country can solve the population ills of the world and to attempt to do so can only end in disaster.

In conclusion, Mr. President, I urge the Senate to reject the bill, H.R. 2580, and thereby maintain a sound immigration and naturalization system for our country.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 450. An act for the relief of William John Campbell McCaughey;

S. 1111. An act for the relief of Pola Bodenstein; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 9877) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, I have listened with very deep interest to the address of the distinguished Senator from Mississippi who preceded me. I commend him for his very thorough and penetrating analysis of the pending measure.

It is difficult for me to understand how, after duly considering the salient aspects of this bill, one could feel that it would be in the interest of our country to enact the measure into law.

Mr. President, I am opposed to the pending immigration bill—the people of Arkansas are opposed to it—and, according to a recent national poll—the American people are opposed to it.

After several years of intensive study, the Congress enacted less than 15 years ago, the Walter-McCarran Act, which sought to define and express this Nation's immigration policy. That act was an attempt to blend national interest with the traditional American concept of the brotherhood of man. It was a reasonable act in that it attempted to build our immigraion policy on the premise that we should admit to our shores those aliens who stood the best chance of becoming Americanized. The Act was based on the national origins system which has become a symbol it seems of dread and discrimination if we are to heed the emotional cries of those who seek to change and liberalize that act by the emasculating language of the pending bill.

National origins means, quite simply, that system devised by this country following World War I whereby preferential immigration status was accorded to those countries which contributed the most to the formation of our country. In effect, the system sought to reflect the makeup of our people by allowing immigration on a fractional basis of America's population. This is today baldly labeled as a discriminatory system and it is said that it has to go. I would ask, discriminatory to whom? And I would also ask, since when has it become discriminatory to found immigration on a reasonable and rational system designed to accomplish the desired end of immigration?

The decade of the 1960's promises to go down in this country's history as the decade of discrimination. The erroneous connotation of the word "discrimination" has become so evil that I doubt that there is an American alive today who would want to be described as having discriminating taste whether in food or clothing. How ridiculous we have become. Each of us in our everyday life discriminates with every choice, be it with friends, commodities, or facilities. And regardless of some of the inane laws passed by the Congress or twisted by the Supreme Court, such discrimination will persist, for it is a natural compulsion of the human mind.

If so many people are opposed to changing our immigration policy as expressed in the Walter-McCarran Act, then why the big rush to enact the new law? Well, this concerned me, too, and I reviewed again the testimony of administration witnesses before the Senate Judiciary Committee. The Secretary of State said that he has often been approached by foreign ministers who believe that the national origins principle discriminates against their countries. This, according to the Secretary, creates difficulties in establishing good relations required by our national interest. Following this perverted logic to its end conclusion would have the national Congress taking a poll of foreign ministers or getting a consensus from foreign countries before acting on legislation in many fields.

How utterly silly it is to base our immigration policy on the complaint of a few foreign ministers who feel that our policy is discriminatory. The cry to amend the present law for the sake of the tin god of discrimination does not move me either by logic or emotion. Nor, apparently did it move the drafters of the original bill, who proposed the retention of the discriminatory unlimited provisions of the present law in regard to foreigners in the Western Hemisphere. The Senate Judiciary Committee did amend the bill to impose a 120,000 limitation on Western Hemisphere immigration beginning in 1968, but since a similar provision was defeated in the House, the final version of the bill may well continue this discriminatory aspect of the original bill.

Another witness before the committee, Attorney General Katzenbach, also relied heavily on the discriminatory features of the national origins system in making his plea for enactment of the pending bill. He complained that the system creates an image of hypocrisy which can be exploited by those who seek to discredit us abroad because we profess that all are equal yet we use the "discriminatory national origins system."

Mr. President, if we exclude anybody by law from immigrating to our country, to that extent we discriminate. The only way to have absolutely no discrimination in an immigration policy is to repeal all immigration law, and let them all stand equal. We might as well be honest about it. We are discriminating with this law. We shall discriminate with the next one, and the next one, until we remove every barrier.

So the argument about some country feeling it is discriminated against loses its appeal, loses its force and persuasion. After all, whose country is this? Who has a right?

No alien has a right to admittance. We grant him a privilege, and we are under no compulsion to do that, if the granting of the privilege is against or does not serve the national interest.

Woe betide us if we ever go down the road in an effort to wipe out all the things that our enemies might use in their propaganda programs against us, for this would result eventually in the elimination of the free enterprise system.

I do not understand the attitude of trembling in the presence of foreign potentates, kings, dictators, or any other heads of government, merely because we

have a little pride in our own country, in our achievements, in our preeminent position in world affairs. Why should we not have?

Because we have, because we have reached these attainments, are we now required by wisdom, by logic, by humanitarian causes, or any other persuasion to say, "All we have achieved is yours"? Say it to the rest of the world: Come. Partake. Enjoy the privilege.

Mr. President, with that idea I do not agree. America cannot survive as the great Nation she is today if we ever so modify and change our immigration policy so as not to protect that which we have developed, produced, and now possess.

The Attorney General also pointed out that under the present act we deprive ourselves of skills that we could use in this country, that is, we will be deprived of the services of a brilliant surgeon from India for several years because of that country's limited quota of 100. I am sure that this Indian surgeon is brilliant, but if he is, could he not serve mankind far better by remaining in his country and ministering to the needs of the masses of his own country whose population is nearly triple that of ours?

Mr. President, I am sure that there is just as urgent need—more, possibly—in India for the skill of this brilliant physician than in America. Yet, the argument is made in support of the bill to siphon him off, to take him away from his native land, where he is needed most, because we would be embarrassed if someone should state that we were discriminating.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield at that point?

Mr. McCLELLAN. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. When it comes to the charge of discrimination, is that not mostly confined to some of our own liberals? I have not noticed that there is any undersubscription of quota allowances for the people of other nations who wish to come to America other than those which are already heavily represented in this country. Every time a matter is taken up with my office by citizens of other countries, or their relatives, and I check it with the State Department, I find that there is a long list of oversubscriptions. Does that look as though anyone is desirous of going somewhere else except to the United States, that they feel they do not wish to come to this country because we are discriminating? Is it not true that our quotas are generally oversubscribed in many parts of the world at this time?

Mr. McCLELLAN. That is certainly true. I believe it can be said without successful contradiction or challenge that we have the most liberal immigration policy in the world. I am not an expert in this field, but I do not know of any country which is more generous and liberal than the United States.

Mr. HOLLAND. Not many days ago, I had the privilege of reading a long article on immigration policy in Australia, which is vastly more restrictive than ours. Australia picks not only the countries from which it is willing to invite migrants, but also picks the individuals in those countries. The article mentioned that oversubscription in Australia was very great, that they had almost an indefinite right of selection between numerous individuals and numerous families. Does that indicate that there is any world disapproval of a people who wish to protect their own civilization and to bring to themselves, for their benefit, those whom they believe will be attuned to what their country is trying to do?

Mr. McCLELLAN. Certainly not. there is much reason or more for Australia to throw down the floodgates and open up its country to unrestricted immigration because from the point of view of its geography, Australia has a much vaster area unpopulated and undeveloped than has the United States.

The point is that if a good image of this country is related to its immigration policy, the United States should already have the greatest image of any country on earth because of its generosity and liberal attitude toward inviting people to its shores.

I do not understand why we must take the attitude that, in order to please someone else, we must now further liberalize our immigration policy.

Mr. HOLLAND. I agree with the Senator from Arkansas completely. I merely wish the RECORD to show that in the case of Australia, whose policy is restrictive and highly selective, they are being overwhelmed with applications to come in from good people who wish to emigrate to Australia and settle there and claim a part of the future of that relatively new continent as pioneers and settlers.

I am completely out of accord, however, with the theory that we must change our policy merely to suit someone else. I do not believe that people in the world, generally, will approve or disapprove of America merely because of its immigration policy. It does not make any sense. We have the right to be as restrictive as we feel our own interests require, and I am very glad that the Senator from Arkansas is bringing out that point so clearly.

Mr. McCLELLAN. I thank the Senator from Florida for his valuable comments. There is not a country on earth which will not continue to have greater respect for us because we are discriminatory in our taste and in our selection than if we were no longer to have any pride in ourselves in what we are.

Secretary of Labor Wirtz testified before the committee that the pending bill would increase the opportunities for workers with needed abilities to come into this country. The Secretary pointed out—this is under our present law, Mr. President, and I emphasize how generous it is—that during the 1952–61 period, some 14,000 immigrant physicians and surgeons and about 28,000 nurses helped alleviate the shortage of trained personnel in the critical medical field.

I do not know of any countries which have less need for skilled doctors and nurses than we have. They can do as great a service for humanity—probably greater, and with greater opportunities to serve humanity—in their own countries, where the need is greater.

Are we proud, are we boasting of the fact that we can offer inducements to take them away from where they are needed most and bring them to this country? Is that our policy?

Some 4,900 chemists and nearly 1,100 physicists, more than 12,000 technicians, and about 9,000 machinists and 7,000 tool and die makers entered during the same period. With these facts in mind, it is little wonder that we now find ourselves continuing to spend billions abroad in economic and technical aid, or that we are sending hordes of Peace Corps workers abroad. Do not these figures and arguments clearly indicate that this country has been siphoning away the very people needed most by the underdeveloped countries of the world which we are professing to help with our foreign aid, our economic aid, our dollars?

But then, perhaps this is bureaucracy at its best—taking away with the left hand and giving away with the right hand. We could eliminate the middle man in this process—our Government—by letting these highly trained people remain in their own countries where they could contribute much to their development, local economy, and culture.

It is a poor excuse for amending and liberalizing our existing law to say that we are going to do it so we can drain off more talent and more skills from other countries.

Two categories of the pending bill aroused my attention. On page 22 of the report, commenting on section 3 of the bill, it is pointed out that 20 percent each of the 170,000 will be used to take care of unmarried sons or daughters of U.S. citizens, and husbands, wives, and unmarried sons or daughters of alien residents.

A little further on in the subsection, it is stated that 10 percent of the 170,000 are to be made up of skilled or unskilled persons capable of filling labor shortages in the United States—that is, 17,000 in the category of the professions, scientists, and artists that we are proposing to drain off each year from other countries and bring them to this country.

It is proposed to let into this country 17,000 skilled or unskilled persons capable of filling labor shortages in the United States.

Where is the labor shortage that we are undertaking to accommodate? My understanding is that we have unemployment in certain areas. My recollection is that we passed a $1 billion Appalachia bill to take a sweep across a great portion of the country and try to rehabilitate that section. My recollection is that we passed another bill proposing a study of other regional developments where there are supposed to be depressed conditions.

Where is the demand for foreign labor in this country—except on some farms, by some fruit producers and others in the southern part of the Nation or in the

western or Pacific Coast areas where fruits and citrus are grown?

When there was a demand for workers in Florida, we had to fight for bills on the floor over and over again to try to get a little temporary help during the season when the labor was needed most.

Mr. President, it seems to me that our country, now streaking toward unprecedented expenditures to combat poverty, to increase welfare programs, to provide more job retraining, to provide rent subsidies with wage subsidies lurking around the corner—has absolutely no business liberalizing its immigration laws.

Why should we bring to this country persons from other countries, when their skills and training are needed in those countries? We appropriate money and give it to other countries on the pretext that we are trying to develop underdeveloped areas. At the same time we propose to take away from those countries the very brains that are necessary, that those countries already possess, which can help those countries get out of a state of underdevelopment and into a state of a developed economy and society. It does not make sense.

We are told that millions of Americans today are existing on poverty wages and we are spending more and more money to raise their standard of living. Why, in the face of this national problem, should we deliberately add to it? Why should we compound the problem by letting down the floodgates and admitting thousands and thousands of additional immigrants? Do we have an obligation to the world to do this? The answer is no, and we will be unwise and imprudent to do it.

America has—and has had for years—the most liberal and compassionate immigration policy of any nation in the world. According to testimony given before the Senate Judiciary Committee, other countries of the world are not only highly discriminatory in their immigration policy—indeed, some even preclude immigration of any sort. This latter policy is probably the ultimate in discrimination as used by the proponents of this bill. But I am not aware of any great rush on the part of such countries to alter their national policy simply because someone says it is discriminatory. I think it is high time we practice more discrimination—discrimination in favor of America's self-interest. It saddens me to see that it has become completely out of vogue for an American to embrace nationalism. For some time there has been a trend in this country toward conformity, toward the norm with the resultant lowering of standards of the whole society. The immigration policy provided for in the pending bill would seek to extend that lowering of standards. This despite the cries for excellence that rang so eloquently across the land just a few brief years ago.

For example, Australia bars all except the white race; Canada bars practically all Asiatic people; Israel excludes all but those of Jewish origin. Switzerland accepts no immigrants. Russia admits only by special arrangement; and England has further tightened her immigration laws even as they relate to members of its Commonwealth. So if there is to be world criticism of immigration policy—if that is in order—let it be directed to those countries and not against the one country of the world which has consistently taken the most humanitarian attitude toward foreigners.

As I stated a few moments ago, immigration is not a right, but a privilege, and it should be treated as such. If it is in our own self-interest to restrict immigration—as every great nation of the world does—then let us frankly do so without apologies, and not enact this ill-advised piece of legislation.

Many proponents of this bill base their plea for support on humanitarian grounds. I say to them that the greatest service that this Nation can perform for the world is to remain strong, economically and militarily. The greatness of America just did not happen. This Nation achieved its greatness by dedication to the principles of self-government, to hard work and a strong sense of nationalism. And I say that liberalizing our present immigration policy will only tend to dilute rather than to augment our strength.

What high purpose do we serve by letting down the bars? Certainly we cannot hope to relieve the overpopulated areas of the world by easing immigration restrictions. The very idea is sheer folly. It is equally a disservice in my mind to establish an expanded immigration policy that seeks to drain the professional and the skilled workers from other nations who need them far more desperately than we do. By promoting this so-called brain-drain on underdeveloped countries, whose purpose do we serve? Is that not a selfish attitude on our part? And if we are to be selfish at all, then let us be so at the threshold and set realistic immigration figures. Certainly I contend that no useful purpose is served by setting a completely arbitrary figure.

One of the crying issues of the day is the problem of birth control, and how to check the population explosion. America is currently faced with the problems of the burgeoning cities, the need for more and more schoolrooms, better housing, more hospitals and highways. Local governments are stretching dollars to meet the need for more and more services. The tax dollars are split as finely as possible. Yet we in the Congress are presented with an immigration bill that would admit more and more people to further sap, if not burden, our resources.

We have had an influx of immigrants at the rate of some 300,000 per year for the past decade. It has been estimated that this bill will increase that figure by at least another 50,000 and perhaps more. Personally, I would think that another 100,000 per year would be a much more realistic figure, bearing in mind the current unlimited immigration from Latin American countries and the tremendous population increases currently being experienced in those countries. It has been estimated that the present population of 163 million in South America will mushroom up to 600 million by the year 2000. This can only portend more and more immigrants from that area of the world.

In addition to the 4 or 5 million immigrants admitted to this country since World War II, we have given asylum to more than 700,000 refugees and displaced persons. This action is a positive manifestation of this country's humanitarian concern for the oppressed people of the world. I wonder, however, how we can afford to remove the restrictions in our present immigration law and still maintain sufficient flexibility to offer asylum to any future refugees and displaced persons. And the tumultuous events of today's world would certainly indicate that the need for our accommodating refugees or displaced persons has not ended, and there is the strong possibility that it may be tremendously increased.

As further evidence of the fact that our present law is not too restrictive—or sufficiently policed—as the case may be, consider an estimate by the Senate Internal Security Subcommittee that some one-half million aliens enter this country illegally every year. With the population explosion echoing around the world, attempts to enter this country illegally will undoubtedly increase, as will efforts to further liberalize and dilute any immigration law we might enact, including the bill now before us.

The enactment of the pending bill would encourage and invite further efforts to greater liberalization until ultimately, for all practical purposes, we shall have no immigration law.

With our millions of unemployed—with our millions of poverty stricken—with our housing shortage—classroom shortage—hospital and nursing requirements—and burgeoning cities—how can we hope to alleviate conditions here at home by letting down the floodgates for the streams of ever more immigrants seeking entry—legally and illegally—into this country? Have we not already reached a reasonable limit?

This Congress recently created another Cabinet post designed to take care of the problems of the urban areas. Yet under the proposed immigration bill we will be letting in enough people in 1 year to populate a larger metropolitan area. Where is the rationale in such a practice?

By easing the restrictions on immigration we therefore make it easier for those elements who hold beliefs inimical to our own best interests to gain admission. The internal security of this Nation is already threatened to some degree from members of the Communist Party within our borders. More adherents to that ideology will be admitted through the instrument of the pending bill.

Will the addition of still more minority groups from all parts of the world lessen or contribute to the increasing racial tensions and violence we are currently witnessing on the streets of our major cities? Will our crime problems be lessened or heightened by the influx of the new hordes from the far reaches of the world? Under the national origins system, an effort was made to bring into this country those people who demonstrated the ability to assimilate readily into our culture and civilization. Will the new

people to be admitted under the terms of this bill so assimilate, or will they end to gather into ghettoes? We are told repeatedly that our society is to blame for allowing ghettoes to exist now, and attempts are made to rationalize away riots and acts of violence on the ghetto environment. If that is so, will not the new bill contribute to the creation of still more ghettoes and thus more and more acts of violence and riots?

Remember that under this bill, immigration will shift from those European countries that contributed most to the formation of this Nation to the countries of Asia and Africa.

We are told that we need this bill, but, Mr. President, I have searched the record in vain to find out why. Certainly it cannot seriously be founded on the premise that the present law embarrasses our diplomats.

The nations to which our diplomats are accredited, and with whose representatives they come in contact, have more restrictive immigration laws than we have. So why should we be embarrassed?

It is not apparent to me that we are in such desperate need of "skilled technicians "from abroad that we must pass this bill. In fact, I can tell Senators that not one single employer of the State of Arkansas has asked me to find him a skilled foreigner to work in his factory. Perhaps the situation is a little different in other areas of the country, but it would be interesting to know how many Members of Congress have received requests from the major employers in their States seeking skilled immigrants.

I might also note that I am a bit puzzled by the professed support of this measure by our labor leaders. How, in the face of unemployment, can they justify support for increased immigration? If I were a union member, a worker who belonged to a union, I would want some explanation of that detrimental policy.

Aside from the immigrant, I still have not found out to whom the alleged benefits of this bill will flow—to pressure groups, to foreign governments, to immigration lawyers, to embarrassed American diplomats? It seems that this administration—which is noted for its proclivity for survey and is often termed "consensus-conscious"—is a way off base by offering the bill now before the Senate bill to liberalize our immigration program in the face of majority opposition of the American people. I am aware of no clamoring for this legislation; indeed, as indicated, widespread public opinion runs counter to this bill, if we can believe a Harris survey conducted May 31, 1965. I quote from that survey, entitled: "U.S. Public Is Strongly Opposed To Easing of Immigration Laws":

The American public, although largely descended from people who came to a new land to escape the persecution, famine, and chaos of other lands, today by better than 2-to-1 opposes changing immigration laws to allow more people to enter this country. What is more, President Johnson's proposal that immigrants be admitted on the basis of skills rather than by country quotas meets with tepid response.

In fact, a survey of public opinion reveals that Americans prefer people from Canada and Northern and Western Europe as immigrants and tend to oppose immigrants from Latin America, Southern and Eastern Europe, Russia, the Middle East, and Asia.

The American people have a right to know just whose interests we seek to serve by passing this legislation. Are we, by passing this bill, acting in the national interest? Do we really need added hordes of new immigrants to further multiply the many acute domestic problems we face today? Or are we just being magnanimous in slavish addiction to some strained concept of altruism?

I am well aware that all Americans—aside from the native Indians—are descended from immigrants and that it can be truly said that we are a Nation of immigrants. But there comes a time—as with most things—when a saturation point is reached and moderation should be practiced. I think we have long since reached the point in this field where moderation is needed. America, the world's great melting pot, already runneth over. We need no increase in immigration.

We need no change in our immigration law, and we should tell those who criticize our policies to direct their complaints at the other countries of the world whose immigration programs are far more restrictive than our liberal laws and practices.

This measure should be defeated, and I shall vote against it.

Mr. President, I ask unanimous consent, as I conclude my remarks, to have printed at this point in the RECORD an editorial entitled "Why Do We Want To Bring More People to the United States?" published in the North Little Rock Times of September 16, 1965.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY DO WE WANT TO BRING MORE PEOPLE TO THE UNITED STATES?

Now before the Senate is President Johnson's immigration bill, which has as its major purpose the repeal of the national origins quota system. What this means is that if the bill passes, the United States would favor no nation over another one in accepting new residents. We have been showing favoritism since 1924—admitting immigrants in proportion to the makeup of our population. For instance, since there were many more descendants of Englishmen living in this country than Italians the quota for Great Britain was set at 65,361 and for Italy, 5,666. This looked like raw prejudice when viewed in the light of the Great Society. So it had to go, even though most other nations see nothing wrong in being arbitrary and highly selective about whom they let into their country. Australia, for example, takes no Negroes, Liberia accepts no white people, Israel will take only Jews, and Japan and Switzerland allow no immigrants at all.

Of more concern to us than the origins of immigrants, however, is the number of them who come in each year. We hope the Senate, unlike the House, will be able to do more to limit immigration. Why should we be looking for ways to bring in more people? There are 7,200 persons born every day in this country, a rate that will give us a population of 240 million people in 1980. Seventy percent of our residents live in the cities—the exact spot that all immigrants seem to head for. Right now we are passing all kinds of social legislation to eliminate poverty and reduce unemployment, which, among Negroes, was at an alltime high last month. More and more of our unskilled and underprivileged Americans are going to find it harder to support themselves as machines replace men. Many immigrants will join these ranks of the unemployed, no matter how carefully they are screened. A Brazilian off a coffee plantation can live a thousand times better on relief in Chicago or New York than he can on his country's average per capita income of $129 a year.

Now the bill has a ceiling of 170,000 for the Eastern Hemisphere. The very least that the Senate ought to do before it passes this bill is to put some kind of a ceiling on the nations in this hemisphere, too—especially Latin America, where the population is going to double in 20 years. Congressmen MILLS and GATHINGS did their best to get a quota of 115,000 for the Western Hemisphere put into the bill, but the amendment was defeated mainly because the State Department said that it would embarrass the United States to limit immigration from our neighbor countries. Why should it embarrass us? Great Britain was not embarrassed when it reduced immigration from its own colonies in the Caribbean from 20,000 to 8,500. Plainly, the English are disturbed about unemployment and the population explosion and are trying to do something about it. Why should we be ashamed to do likewise?

Mr. McCLELLAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. RUSSELL of Georgia. I object.

The PRESIDING OFFICER. The clerk will resume the call of the roll.

The legislative clerk resumed the call of the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE SITUATION IN THE DOMINICAN REPUBLIC—TRIBUTE TO AMBASSADOR W. TAPLEY BENNETT, JR.

Mr. RUSSELL of Georgia. Mr. President, during the past several days there has been a great deal of discussion and debate on the floor of the Senate, and, indeed, in the press and throughout the country, concerning the President's decision last April to intervene in the bloody civil strife that then gripped Santo Domingo.

The President was compelled to send U.S. Armed Forces to that riot-torn and chaotic island in order to prevent the loss of American lives and property and to prevent the possibility of a Communist takeover.

Now, 5 months later, the President's prudent, patriotic, and forthright action has come under heavy criticism by the distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], and others

who apparently feel that there was no real danger to American citizens on the island and that the threat of a Communist takeover was exaggerated.

Mr. President, a great deal of the criticism of our actions in Santo Domingo is apparently not directed directly at the President personally, but the charge has been made by certain critics that the President was a gullible victim of faulty advice given, among others, by our Ambassador in Santo Domingo, Tapley Bennett, Jr.

I wish to emphasize that I vigorously and categorically disagree with this criticism of American policy in Santo Domingo. It was not my privilege to be in the city of Washington when the decision to intervene was taken. I was not at the conference at the White House at which some of our hindsighters were apprised of the action that would be taken, but I did discuss the matter with the President over the telephone from my home in Georgia.

The President was kind enough to ask me what I thought of the situation. I asked him if there were any indications of a definite Communist influence in the so-called rebel forces. He stated that there was little doubt that there was a definite Communist influence there, and I told him that, in my opinion, he had no alternative other than to proceed to send the Armed Forces to San Domingo to avoid another Cuba.

No one, of course, can know definitely what would have happened had the President not intervened when he did. But we do know that, subsequent to the landing of U.S. troops, the fighting was brought to a halt and we do not have today another Castroite dictatorship in the Caribbean.

I do not know, Mr. President, how it would be possible to measure in exact numbers how many Communists must be involved in an operation of this kind before it becomes dangerous to a republican form of government, or to any other form of government. We do know that a mere handful of Communists took over in Cuba, and many of the most valorous soldiers who assisted Castro in the revolution have been compelled to flee from that island, their homeland, because they are not Communists.

We also know that in the case of Czechoslovakia, a very small percentage of the people of that country were actually Communists; those who were Communists but were smart enough, tough enough, and mean enough to take to the streets with weapons while the peace-loving people took to their homes. As a consequence, Czechoslovakia wound up behind the Iron Curtain.

Mr. President, I do not intend at this time to go into any extensive discussion of what has happened over the world, and recount the instances in which small numbers of Communists have succeeded in taking over the government of countries where the majority of people were anti-Communist. Nor do I wish to go into an extensive discussion of our Dominican policy at this time. I will say, in passing, that I do not have the confidence of some that we will be able to establish a permanent republican form of government in Santo Domingo under the procedures we are now following.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. RUSSELL of Georgia. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. I do not wish to draw the Senator into a discussion of the illustrations he used a moment ago, but it runs in my mind that there never have been 20 percent of the Russian people who are Communists, or even 10 percent. In my judgment, less than 10 percent of the people in Russia are Communists.

Mr. RUSSELL of Georgia. Have never been members of the Bolshevik organization; the Senator is absolutely correct in that.

Mr. HICKENLOOPER. Yes, the disciplined members of the Communist Party.

Mr. RUSSELL of Georgia. That is right. It only requires a very small percentage of dedicated Communists who are absolutely indifferent to human life, human suffering, human liberties, and the rights of others, when a country is in a chaotic condition, to seize the power of government and impose their will on the vast majority. It has happened time and again.

Mr. HICKENLOOPER. The Senator is entirely correct.

Mr. RUSSELL of Georgia. I thank the distinguished Senator from Iowa.

Mr. President, aside from this discussion, what concerns me today has been the attempt to make a whipping boy of Ambassador Tap Bennett by those who happen to disagree with the policy and the action of our National Government.

Ambassador Bennett is an experienced and distinguished career diplomat. It happens that he is a native of my State. I have known him since he was a small boy. I have known his father and his mother for many years. I also knew both of his grandfathers, and had the honor to serve in the legislature in my State, when I was the youngest member of that body, with one of them. Only last year, I enjoyed a midday meal, which we still call dinner where I come from, with Ambassador Bennett's father and mother on their Franklin County farm in the rolling red clay hills of northeast Georgia.

I can assure the Senate that Ambassador Bennett does not come of a stock that panics and frightens very easily; he is a man of sound commonsense with both feet on the ground. It is a grievous disservice to this dedicated and patriotic public servant to suggest that when the chips were down and danger was impending, he gave the President faulty information and panicky advice.

I have known Ambassador Bennett in other posts. I visited him in Greece, when he was serving in the Embassy there. I have never known a career diplomat who endeavors more strenuously to keep in touch with the little people in the country where he is stationed than does Ambassador Bennett. He had visited virtually every community in the Dominican Republic prior to the crisis, though he had not been in that nation for any great length of time.

Last Friday, Ambassador Bennett was guest speaker at a dinner given by the professional communications media groups in Atlanta. Characteristically, he did not reply to his critics, but the Ambassador did relate, from his rather unique vantage point of having been on the scene, some of the events that took place in Santo Domingo during the bloody fighting which initiated the revolution. He also summarized three salient consequences that resulted from our intervention in that fighting. They are brief, and I should like to read them to the Senate.

This is his own summary:

1. No American civilians lost their lives, although one remembers with sadness that 24 gallant men of our Armed Forces gave their lives in the stern tasks that fell their lot. Close to 5,000 persons from 46 nations were evacuated safely from the country. These evacuees, almost 5,000 of them, went voluntarily, the departure of each testifying to his individual estimate of the dangers in the situation.

I interpolate here, Mr. President, to say that that is a point that I have not yet heard made, that almost 5,000 citizens of 46 nations, who were in Santo Domingo and saw what was taking place, thought it was an extremely dangerous and precarious situation, and voluntarily left the country. Many of them left behind substantial business interests. I have talked to two or three citizens of my State who were engaged in agriculture in there, who left, and there was no doubt in their minds but that it was a very dangerous situation—one that they considered to be critical insofar as preventing a Communist takeover in that unfortunate state was concerned.

I resume the reading of the summary by Ambassador Bennett:

2. The Communists were prevented from taking over in a chaotic situation and pushing aside democratic elements involved in the revolt. Communist tactics contributed to the long delay in reaching a settlement, but at the same time made their presence more publicly apparent than had been the case at the beginning. Their leadership has not changed.

3. Another development which thankfully did not occur was that the fighting did not spread throughout the country, as seemed decidedly possible on more than one occasion. Disorders were confined to one or two areas in the capital city, and a major civil war with much wider consequences and untold loss of life was prevented.

Mr. President, I believe Ambassador Bennett's remarks in Atlanta were extremely timely and pertinent to the current debate and discussion of our Dominican policy, and I ask unanimous consent that his address be published in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RUSSELL of Georgia. Mr. President, I also wish to call to the Senate's attention a telegram warmly praising Ambassador Bennett sent by President

Johnson on the occasion of the Ambassador's appearance in Atlanta. I ask unanimous consent to have this telegram and an editorial appearing in the Atlanta Journal of September 17 concerning the Dominican discussion printed in the RECORD following Ambassador Bennett's speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2 and 3.)

EXHIBIT 1

COMMUNICATIONS AS A KEY TO UNDERSTANDING

(Address by Hon. W. Tapley Bennett, U.S. Ambassador to the Dominican Republic on receipt of the Big Beef Award at banquet sponsored by Atlanta Chapters of American Women in Radio and Television, Public Relations Society of America Sigma Delta Chi Fraternity, Theda Sigma Phi Sorority, Atlanta, Ga., Sept. 17, 1965)

Only this morning I flew away from an island in the Caribbean which in recent months has known the tragedy of civil strife and the horrors of violence out of control. Decisive action by your Government and other governments of this hemisphere brought an end to the major bloodletting. After arduous and often frustrating negotiations by a committee of the Organization of the American States which lasted more than 3 months, a path for rehabilitation and reconstruction has now been marked out.

We have known violent rioting in our own country in these past months, and the death toll in the recent events in Los Angeles came, I believe, to some 35. By way of perhaps inapt comparison estimates of the deaths in Santo Domingo in the chaos of late April and early May run up to 3,000. I personally think that figure is too high, that a more correct toll of that fratricidal strife would be somewhere between 1,500 and 2,000. But no one will ever know for certainty.

I recall the worst nights in April and May, when up to 70 people were using my house to catch a few hours of sleep. During that period nine snipers were despatched from their positions around the Embassy property, on which my residence also stands. Conditions were obviously not such as to permit people to go to their homes, and they groped their way up through the garden from office to residence in the pitch black night—and there is nothing darker than a tropical night without a moon—in conditions resembling a London blackout. Most of them stretched out on the floor, after the first 15 to arrive had got the available beds. By way of personal footnote—during the 6-week period from April 25 to June 2, my kitchen served up 1,963 meals, feeding everyone from the American President's Special Assistant for National Security Affairs to the Dominican gardener's granddaughter.

I think back to the bravery of young American girls, some of them in their first tour of duty as secretaries abroad, sitting calmly and typing away at 3 in the morning on telegrams to Washington while guns popped outside. Then there was the young civilian officer who day after day drove a highly flammable fuel truck through the fighting downtown because the powerplant had to be kept going—and then indignantly refused an honor award offered him from Washington with the comment that he was only doing his duty. And there was the petite woman officer who shouldered her way time and again through an undisciplined mob in one of the dock areas because she had things to do in the customs warehouse. And the Army lieutenant colonel on my staff who interposed himself calmly between two groups of men armed with submachineguns when they were about to open fire on each other, acting to protect several hundred Americans awaiting evacuation who were directly in the line of fire behind one group. Somehow these simple acts of heroism didn't seem often to get into the press accounts of the crisis. And so here I pay tribute to those who did their duty—and more—at an anxious time.

Certainly none of us there will forget the lift we got one night when President Johnson with great thoughtfulness, called up at 4 a.m. because he had received information the embassy might be attacked by a group with special demolition equipment. Fortunately that attack never came off.

Now after almost 5 months of tragedy, frustrations, and travail in the Dominican Republic, a brighter future beckons for the Dominican people. A provisional government—moderate in complexion and avoiding the extremes of both left and right—has taken office under the distinguished leadership of Dr. Hector Garcia Godoy, and the people will have a free choice for the future in elections to be held within 9 months. For those interested in comparisons, Fidel Castro took over in Cuba in 1959, and there has been no election since.

Harsh developments dictated hard decisions in April. Those decisions achieved several important results. In consequence of them several things did not occur.

1. No American civilians lost their lives, although one remembers with sadness that 24 gallant men of our Armed Forces gave their lives in the stern tasks that fell their lot. Close to 5,000 persons from 46 nations were evacuated safely from the country. These evacuees, almost 5,000 of them, went voluntarily, the departure of each testifying to his individual estimate of the dangers in the situation.

2. The Communists were prevented from taking over in a chaotic situation and pushing aside democratic elements involved in the revolt. Communist tactics contributed to the long delay in reaching a settlement, but at the same time made their presence more publicly apparent than had been the case at the beginning. Their leadership has not changed.

3. Another development which thankfully did not occur was that the fighting did not spread throughout the country, as seemed decidedly possible on more than one occasion. Disorders were confined to one or two areas in the capital city, and a major civil war with much wider consequences and untold loss of life was prevented.

In a situation in which distribution and transportation of foodstuffs was almost completely disrupted and imports to an island nation cut off, starvation was avoided. Along with other actions taken by the United States and the OAS to shore up the country's paralyzed economy, more than 63 million pounds of food were distributed to the hungry, substantial quantities of it directly by our soldiers and marines. Medicines and medical care and other vital services were provided. Private American citizens and companies and voluntary relief agencies made generous food and medical contributions, as did 11 other American republics from Argentina to Mexico. Brazil, Costa Rica, Honduras, Nicaragua, and Paraguay have joined with the United States in supplying military units to make up the Inter-American Peace Force, which is a guarantee of order and protection for rehabilitation and progress.

It was one thing to stave off disaster. Now the need is for positive, productive action to build a better nation, with greater participation for all its citizens. A moderate, progressive government needs our help and cooperation and will get it. Suffice it to say that the situation continues to be a most complex one—and one that requires our best efforts.

It is worth underlining here that modern Dominican democracy is really only 4 years old, dating from 1961, when the country broke loose from 31 years of the harsh Trujillo dictatorship. Today's complicated problems derive in large measure from the political, social, and economic stresses accompanying the emergence from the long night of totalitarianism—the social frustrations and the pent-up demands for more economic opportunity and a better life—for more jobs and more food. Our task and our objective is to respond to this desire for change in the social structure and to find rational ways in which the demands of a new society can be met.

The United States and fellow nations of the Americas, acting through the Organization of American States, are now mustering manpower and resources to help energize and build the country whose fertile valleys and wave-tossed shores were so admired by Christopher Columbus. Agriculture, transportation, and education will have priority in these efforts, and there will be specific projects in such areas as housing, irrigation, school construction, cattle production, and farm-to-market roads, as well as maintenance of the existing road net. An important part of our effort will be to help private enterprise repair its damages, increase its productive facilities and put people to work.

All these activities, whether in the Dominican Republic or elsewhere in the world, rest on cooperation and understanding. This brings us to communications, for the communication of understanding is an important factor in making effective this Nation's foreign policy, a policy based on truths, progress, and freedom. Communications is perhaps best defined as the ability to talk to each other and be understood by each other. It is much harder than many realize. Each of us has our own frame of reference. We tend, naturally enough, to accept the history of our country as the only correct history and the only really important one. Other people put similar emphasis on their own history.

Modern transportation and the speed of the news industry means that today groups with vastly different frames of reference are attempting to communicate with one another on a scale hitherto not possible. These differences between groups and peoples make communication difficult—basic differences in religion for example. Some religions believe in one God, others in many. Some have life after death as a tenet of their faith; others reject that idea. Some consider that the killing of even a fly, not to mention a cow, is a crime; others hold that killing in the name of their God is the surest way to heaven. These are fundamental differences as to the very purpose and meaning of life.

There are great differences of culture. The differences between the urban and rural approach to everyday problems has been a lasting aspect of our political life in this country. And there is of course in today's divided world the basic difference between Communist and non-Communist, and the almost impassable semantic boundary. The Communists have precise but very different meanings from our own for many words, such as democracy, republic, popular, elections, etc. These differences are one reason why negotiations with people like the Russians and the Chinese are so frustrating and interminable.

In the struggle to win men's minds, we have got to communicate effectively with the sugarcane cutter in the Caribbean, with the coffee harvester in Central America, with the Indian herdsman in the wind-swept villages of the high Andes, with the planter in the

rice paddies of southeast Asia. The tools of language are required, of course. But foremost these fellow members of the human family can use a friendly hand with their problems. We work with them to increase their crops through new techniques; we assist their local doctors by offering them modern practices; we persuade them and their neighbors of the advantage of community development, of a closer working relationship with their neighbors. It is done with honest toil and basic truth.

Recently at the swearing-in ceremony for the new Director of the U.S. Information Agency, Mr. Leonard Marks, President Johnson quoted the following from Mr. Marks' writings: "Communications is the lifeline of civilization. Without it, people live in small tribal societies, suspicious of strange and different customs. With improved communications comes better understanding and a removal of the barriers of suspicion and distrust. When we know our neighbors, we are more likely to become friends, philosophically and socially, and from this relationship may evolve a world dedicated to the preservation of law in an atmosphere of peace."

The President went on to say in his own words: "I believe this is a new era in the affairs of man and the relations between nations. It is an era of greater maturity—and I hope that our own goals and standards may also mature. I hope we shall not expect quick answers to ancient questions, that we shall not expect simple solutions to complex problems. I especially hope we may not strive foolishly and vainly for the world's love and affection when what we really seek is the world's respect and the world's trust."

You and I—all of us—are engaged in the great adventure of communications as a means to achieve this respect and trust on the part of others. To those of you who labor in the vineyards of the press, the radio, the television, and other mass media, I would recall our common responsibility to get the facts, to be accurate, to be objective. And as one who has spent a good part of his time in recent years—along the border of the Iron Curtain in Central Europe, in the Balkans, and the Eastern Mediterranean with their age-old feuds, and now in the turbulent Caribbean—trying to compose problems of varying difficulty, I feel qualified to observe on the basis of some tender experience that it is usually easier to find fault than to find solutions.

Around the world our country is engaged on many fronts and in many fields. As our fellow Georgian, Secretary of State Dean Rusk, recently observed: "It is the purpose of the Department of State to try to bring about what some people will call a boring situation; that is, a period of peace. I should not object if we got international relations off of the front page for a while. I see no prospect of it.

"But settlement is our object, and settlement frequently is not very newsworthy."

But peace is elusive, and the way of the peacemaker often leads across stony and unyielding ground. President Kennedy reminded us that "only a few generations have been granted the role of defending freedom in its hour of maximum danger." That is a proud and demanding role—one that befits a great nation and demands its best.

To close I would recall the words of Euripides in describing ancient Athens—a world power in its time which, not unlike our own country today, was the leader of a coalition of free communities against those who would smother freedom and stifle democracy. Euripides wrote with pride and compassion of the penalties of power when he spoke of Athens as a city which "takes much and bears it; (and) therefore she is blessed."

EXHIBIT 2

THE WHITE HOUSE,
Washington, September 17, 1965.

FELTON GORDON,
Dinner Chairman, Big Beef Banquet Progressive Club, Atlanta, Ga.:

I am very happy to join the many friends of Tapley Bennett as they gather to applaud his dedicated record of public service. Yours is a richly deserved tribute to an outstanding professional who has shown his coolness, courage, and good judgment in danger and difficulty. To Ambassador Bennett and to all his fellow Georgians who honor him this evening, I extend my warmest good wishes for a memorable event.

LYNDON B. JOHNSON.

EXHIBIT 3

[From the Atlanta Journal, Sept. 17, 1965]

AMBASSADOR BENNETT

Our Ambassador to Santo Domingo is W. Tapley Bennett, Jr. A Georgian, Ambassador Bennett is a frequent (and current) visitor to Atlanta.

Now that the Dominican crisis seems settled there is a lot of second guessing going on in Washington. Did the administration handle the matter correctly? Or was the President panicked into sending troops?

The Journal has been with the administration, therefore it was good to read that recent criticism by Senator J. W. FULBRIGHT has in turn been criticized by a substantial part of Washington.

Senator FULBRIGHT thought the President did wrong to act on Mr. Bennett's advice that the situation was out of hand.

A lot of the Senate has disagreed with Senator FULBRIGHT.

On September 8, the Journal looked at it this way, and the Journal still does.

"The Dominican problem has been an intense one. After our Cuban experience with 'democratic liberators' this country has followed it with anxiety plus cynicism.

"But alas * * * there are indications many of our writers and political theorists are closer to the dream world than reality."

We didn't say Senators then, but we now add them to the list.

Welcome home, Mr. Bennett. Remember the newspapers and members of the intelligentsia who first thought Castro a democratic hero?

They haven't learned much since.

But the rest of us seem to have learned the valuable lesson that so-called popular fronts today are fronts for the Communists rather than the people.

Mr. RUSSELL of Georgia. Mr. President, I yield the floor to the distinguished Senator from Pennsylvania.

Mr. CLARK. I thank my friend, the Senator from Georgia.

Mr. President, the defense of Ambassador Bennett by the Senator from Georgia does him credit, as an old friend and as a constituent. I do not think any of us who feel that perhaps the Ambassador's judgment was not entirely sound, our feeling being based, as we have admitted, on Monday morning quarterbacking, would question in any way the Ambassador's integrity, loyalty, or devotion to duty. There is no further reason for me to further defend the able and distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT], and I have nothing further to say on that matter.

WATER QUALITY ACT OF 1965—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, I submit a report of the committee of conference of the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MUSKIE. Mr. President, the conference report on S. 4 represents a reasonable and sound compromise on the Water Quality Act of 1965. As my colleagues know, it was not easy to obtain agreement on this legislation. On the primary issue of water quality standards there were strong opinions on both sides of the table. In the end, however, the agreement we reached represents both a middle ground and, in many respects, an improvement over the original version as it passed the Senate.

I want to take this opportunity to express my appreciation and gratitude to the Senate conferees, Senators RANDOLPH, MOSS, BOGGS, and PEARSON. The unanimity we reached on the basic issues in S. 4 strengthened our hand immeasurably and added to the quality of the discussions in conference. Through the months since the House enacted its version of S. 4 the Senate Members of the conference and their staffs reviewed the two proposals. Many of their suggestions were incorporated in the final version and contributed to the successful agreement between the representatives of the two bodies. Partisan differences were forgotten in the common effort to develop a meaningful act for the enhancement of the quality of our national water supplies.

The discussions in the conference were vigorous, but amicable. The delay in agreement is a measure of the strong feelings related to matters of principle rather than to any unwillingness to reach a consensus. I could not report to my colleagues on the conference without paying tribute to the House conferees for the contribution they made to this legislation on behalf of the House of Representatives and particularly to Congressmen JOHN BLATNIK and ROBERT JONES for their leadership on S. 4 and

in the general effort toward water pollution control and abatement.

I shall not take the time of my colleagues to review in detail the entire conference report on S. 4. That report, and the report of the managers on the part of the House, can be found on pages 24583–24587 of the CONGRESSIONAL RECORD for September 17, 1965.

In brief, the conferees agreed on the establishment of a water pollution control administration in the Department of Health, Education, and Welfare, headed by an Administrator and supervised by an assistant secretary. The Senate conferees accepted the House version, which transfers all of the activities of the present division of water supply and pollution control to the new Administration and spells out in detail the procedures to be used in transferring personnel. We believe an orderly transition can be made from the present arrangement under the Public Health Service to the new Administration.

The managers for both the Senate and the House agreed that the selection of the Administrator is crucial to the success of the program and that his grade level and status should reflect the importance the Congress attaches to this program in establishing it as a separate Administration.

The Senate conferees accepted the House proposals on increased authorizations for sewage treatment grants. These include an increase to $150 million a year for the next 2 years in the total authorization and an increase to $1,200,000 in individual project authorizations and $4,800,000 for multi-community projects. Funds appropriated in excess of $100 million in each of the next 2 fiscal years will be allotted to the several States on the basis of population and individual project authorization limitations will not apply on the use of such funds where States match the Federal contribution.

The Senate conferees agree to these provisions as a temporary measure because of the demonstrated crisis in such States as New York. I know that Senators JAVITS and KENNEDY are very much concerned about this problem. At the same time, the Senate conferees made it very clear that the increases in authorizations and the modifications in the allocation formula do not represent a judgment as to the realistic levels of Federal grants or formula in the years ahead. The Senate Subcommittee on Air and Water Pollution is examining this problem and will make recommendations in the next session of the Congress.

The next major provision in the act is the water quality standards section. As it passed the Senate, S. 4 authorized the Secretary of Health, Education, and Welfare to establish water quality standards on interstate waters or portions thereof in the absence of effective State standards, following a conference of affected Federal, State, interstate, municipal, and industrial representatives. Violation of established standards would be subject to enforcement in accordance with the present enforcement procedures in the Water Pollution Control Act.

The House version of S. 4 contained a provision for States to file letters of intent on the establishment of water quality criteria, with a pollution control grant penalty for failure to file such a letter of intent. There was no provision for the establishment of water quality standards.

The conferees agreed to amend the Senate version to give the States until June 30, 1967, to establish water quality standards on interstate waters which the Secretary determines are consistent with the purposes of the act. In those cases where the States fail to establish such standards the Secretary is authorized to call a conference of affected, Federal, State, interstate, municipal, and industrial representatives to discuss proposed standards, after which the Secretary is authorized to publish recommended standards.

If a State fails to establish standards consistent with the purposes of the act within 6 months after promulgation of the Standards—unless the Governor of an affected State requests a public hearing within that period—the Secretary is authorized to promulgate his proposed standards. The Governor of an affected State would be permitted to petition for a public hearing within the 6-month period after publication of the proposed standards and up to 30 days following promulgation of the Secretary's standards. The Secretary is required to call such a hearing and to appoint five or more members to the board. The Secretary of Commerce and the heads of other affected Federal departments and agencies are to be given an opportunity to select one member of the board. The same right is accorded the Governor of each affected State. It is the intent of the conferees that the hearing board represent a balance of Federal and State interests.

The hearing board may recommend either: First, establishment of the Secretary's standards; or second, modification of those standards. The Secretary must adopt the board's recommendations. If the board recommends adoption of the Secretary's standards they become effective immediately on the Secretary's receipt of the board's recommendations. If the board recommends modifications in the standards the Secretary must modify them in accordance with the board's recommendations and promulgate them. The revised standards become effective on promulgation. Revisions in established standards can be considered and proposed by the Secretary on his own motion or on request by the Governor of an affected State in accordance with the foregoing procedures.

Violations of standards under the provisions of this act are subject to Federal abatement action. If the Secretary finds such violation he must notify the violators and interested parties, giving the violators 6 months within which to comply with the standards. If, at the end of that period, the violator has not complied, the Secretary is authorized to bring suit, with the consent of the Governor of the affected State in the case of intrastate pollution, through the Attorney General of the United States under section 10(g)(1) or (2) of the amended Water Pollution Control Act.

This enforcement procedure differs from the procedure followed under the present act by omitting the conference and hearing board stages. Because there is a conference and hearing board under the standard-setting procedure the managers for the House and Senate did not consider a repetition of these proceedings necessary in cases of violations of standards. The conference and hearing board stages remain in enforcement proceedings arising out of endangerment of health or welfare where water quality standards have not been established, as under existing law.

In court proceedings resulting from a suit for violation of water quality standards established under this act, the court is directed to accept in evidence the transcripts of proceedings before the conference and hearing board and to accept other evidence relevant to the alleged violations and the standards. The court is to give due consideration to the "practicability and physical and economic feasibility" of complying with the standards in making judgments in such cases.

There was one final set of compromises in the conference. The House managers agreed to recede on the House "subpena section" and insisted that the Senate recede on the Senate "patents section."

Measures contained in both versions were: a 10-percent bonus in sewage treatment plant grants for those projects carried out in accordance with an area-wide plan; a 4-year, $20 million per year research and development program for new and improved methods of controlling the discharge of inadequately treated combined storm and sanitary sewage; authorization for the Secretary to initiate enforcement proceedings in cases where he finds substantial economic injury results from the inability to market shellfish or shellfish products as a result of water pollution, recordkeeping and audit provisions; authority for the Secretary of Labor to set labor standards on projects financed through this act under Reorganization Plan No. 14 of 1950; and an additional Assistant Secretary in the Department of Health, Education, and Welfare.

Mr. President, I believe this act, as amended, will give strong impetus to our efforts to control and abate water pollution and to improve the quality of our water supplies.

The conference report is signed by all the conferees on the part of the Senate and by all of the conferees on the part of the House.

Congressional staff members have an important role in any legislation. In the development of S. 4 and in the achievement of the conference report the Senate and House staffs made an invaluable contribution to our success. I am particularly indebted to Ron M. Linton, chief clerk and staff director of the Senate

Committee on Public Works, William Hildenbrand, legislative assistant to Senator BOGGS, and my administrative assistant, Donald E. Nicoll, for their imagination, patience, and skill in making suggestions and drafting successive versions of the bill. A similar contribution was made by the able and cooperative House staff members: Richard J. Sullivan, chief counsel of the House Committee on Public Works; Maurice Tobin, assistant to Congressman BLATNIK; Clifford W. Enfield, minority counsel of the House Committee on Public Works; and Robert L. Mowson, assistant legislative counsel for the House. Without their assistance we could not have this report.

Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JAVITS. Mr. President, I am most pleased that the conferees on S. 4 have reached an agreement. The bill was passed by the Senate last January, and by the House in April, and I know that great differences had to be resolved before a final measure could be presented to the Congress.

The measure is of particular importance to the drought-stricken Northeast which must begin extensive water pollution control programs immediately, and is particularly vital to the State of New York, which will begin a $1.7 billion program with the aid of these funds.

I would also like to call attention to two changes in the final version of the bill which I sought to have adopted here in the Senate. The first raises the dollar limitation on any single project from $600,000 to $1,200,000. The second provides $50 million a year to the grants program, such additional money to be distributed on the basis of population alone.

The conferees and the distinguished chairman of the subcommittee, the Senator from Maine [Mr. MUSKIE] are to be commended for their fine work on this measure. On behalf of the people of the Empire State, I express my most sincere thanks for their efforts in securing final passage during this session.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. PASTORE. Mr. President, I rise to support H.R. 2580, a bill to amend the Immigration and Nationality Act.

We are about to write one of the finest pages in the human history of America, this land where only the red man is native, this land of immigrants since Columbus first set foot on this sacred soil.

This soil is sacred in the sincere faith of every American in whose youth, or the youth of his parent, this land of liberty was just beyond the horizon of hope as he viewed it from his native soil.

Then came the day of welcome, of opportunity, of responsibility, of obligation. The record shows their obligation has been discharged by 40 million immigrants and their offspring; discharged in faithful service and sacrifice supreme.

This is an honest hour in which we are about to remedy one of the faults of 40 years, the national origins quota system. This was a device for discriminating against races and places. It was illogical, ill conceived, un-American. It opened our doors wide to people who did not wish to come, and did not come. It closed our doors to the willing and the worthy. It refused those ready to share our prospects and our perils. It mocked our Founding Fathers; those who set our standards of decency and dignity, those who saw all men equal as created by their God.

This inequity of 40 years ago was compounded by the Immigration and Nationality Act of 1952. This codified the restrictions of the twenties—and confirmed the quota system.

Today, we are correcting that misconception of America's purpose.

I have worked for it throughout the 15 years I have been a Senator.

I worked for it not only because the quota system was an injustice to the worthy, would-be immigrant—and I am the son of immigrants.

I worked for it because I am a Senator of the United States—and it is an injustice to my country to turn away the clean of heart, the sound of mind, the strong of body, the soul stirred by the adventure and opportunity that America means.

I have worked constantly, continuously, consistently, to make our immigration laws speak the true spirit of America without inviting to our shores more people than we know we can afford to welcome.

Mine was no lonely stand. I have served under five Presidents of these United States. Each of them; with a responsibility higher than mine, an understanding deeper than mine, and an authority greater than mine, has pressed for this triumph of justice.

This is a great hour for President Harry Truman. He called the quota system "at variance with American ideals—out of date—invidious discrimination" and in June 1952 he vetoed the act of 1952. It was passed over his veto.

It is an hour of satisfaction for President Eisenhower.

In 1952, in his state of the Union message, he said of our immigration laws:

> Existing legislation contains injustices. It does, in fact, discriminate. I am therefore requesting Congress to review this legislation and to enact a statute which will at one and the same time guard our legitimate national interest and be faithful to our basic ideas of freedom and fairness to all.

Again in 1956, President Eisenhower addressed the Congress on immigration, saying:

> The national origins method needs to be reexamined and a new system adopted which will admit aliens within allowable numbers according to new guidelines and standards.

We did not have to wait for John F. Kennedy to be elevated to the White House to know his mind in this matter, and President Lyndon B. Johnson has been faithful to his memory and to his trust in his earnest advocacy of equity in these laws.

I will not stress the convictions and dedication of these two leaders. We knew these men—Lyndon B. Johnson and John F. Kennedy—on this Senate floor. We knew these men and we knew their minds and their hearts.

I will borrow a few lines from a newspaper editorial back home. It says:

> Immigration reform is essential. A few moments before his death, President Kennedy launched a renewed effort to wipe out patent inequities of U.S. immigration policy. President Johnson has continued it.

The very simplicity of those sentences makes them eloquent.

Through the years I was honored to be associated with Senator John F. Kennedy—as I joined with him and he joined with me in immigration measures beyond count.

John F. Kennedy, who owed his American day to his immigrant forbears, felt deeply, spoke honestly, and acted earnestly in wanting America to keep faith with the world. It is a world that looks to us for standards of decency and dignity—of equity and fair play.

John Kennedy's immortal test—Ask not what America can do for you—ask only what you can do for America—would still be his test.

He would remember what the immigrant had done for America—and the need that still exists that our character and courage and culture continue to be stimulated by the qualities and equities that made our history. These are the qualities and equities that gave our country growth to greatness in a world that has become too small to permit us to be too smug—too self-centered.

The act of 1952 was far from satisfying many of us—and it did not silence us. In these 13 years we have not merely marked time. By dint of dedication and determined effort, we have made more than a score of corrections, exceptions, alterations, improvements, and advancements in our immigration laws.

And now we make the major reform in the iniquitous—and I say that advisedly—quota system.

Two years ago, President John F. Kennedy asked us to eliminate this discrimination. His message might be summarized in these excerpts:

> The use of the national origins system is without basis in logic or reason. It neither satisfies a national need nor accomplishes an international purpose * * * in an age of interdependence among nations.

After 2 years, we are making our response with this remedy. It seems historic justice that the response—in large part—is being made for us by another Senator from Massachusetts—a Senator bearing the name of Kennedy.

It might seem too emotional to call this measure a memorial to anyone. So

I will just say it is an American milestone—another measurement which finds its principle in equality of opportunity—and finds its proof in the record of responsibility of those to whom the opportunity was given. That record is written on every page of American history—and no page is more American than the one we are writing today.

Mr. President, it is my fervent hope that this measure will pass by an overwhelming majority.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. As a member of the committee, and Senator in charge of the bill, let me express my great appreciation for the statement of the Senator from Rhode Island. He has been a Member of this body for many more years than I have, and I know that this is a subject in which he has been greatly interested. His statement this afternoon has summarized and captured the fundamental theme which is basic to this legislation before the Senate. The Senator from Rhode Island has once again addressed himself to, provided enlightenment on, and brought to bear a dedication and interest on this problem, which I know all Senators fully appreciate. Therefore, I commend the Senator from Rhode Island for his support of the bill, and I ask all Senators to read his remarks.

Mr. PASTORE. I thank the Senator from Massachusetts.

If I have said it once I have said it a hundred times—we do not wish one more person to come to this land than can be comfortably absorbed into our way of life. We do not wish one more person to come to this country who will take a job away from an American—and I have heard that accusation made.

"How many" is not so important as "how." The number is not so important as the method.

Today America is the beacon light of mankind. America is the hope and envy of the world. America wears the mantle of leadership. How we act and how we speak has repercussions all over the world. Let us do away with discrimination, because discrimination is invidious to our way of life. What we want is equality and fairness. We want only good people to come to America, who will contribute to the welfare and grandeur of America.

I am not disturbed about numbers. I do not care how big or small the number is made, but once that number is arrived at, it should be meted out with equality and justice to all. We should say equally to an individual, "You can come here for what you can do for America." That is the only just way.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KENNEDY of Massachusetts. The Senator from Rhode Island has touched on the most basic point of this legislation. We have often heard in speeches in opposition to the legislation that because other countries throughout the world have discriminatory and restrictive immigration policies, it is reasonable to argue that our immigration policy, in the year 1965, should be discriminatory. The Senator from Rhode Island, however, has underscored the fundamental point that, as the leader of the free world, and as a country that tries to demonstrate leadership in the whole cause of democracy and freedom, it is essential that our immigration law reflect our fundamental belief in the dignity and worth of the individual. That is the theme of the remarks of the Senator from Rhode Island. It is basic to this legislation. It is something that all Senators should reflect upon. When they do, I believe they will find that this immigration legislation is fundamentally based on the dignity of the individual. It is in keeping with the growth of a stronger national policy as regards individual rights that has been reflected in many other measures enacted by the Congress in recent years.

Mr. PASTORE. I give the Senator from Massachusetts a more dramatic and classic example of why the free world is secure today. Why is it secure? Because the United States has primacy in nuclear and thermonuclear weapons. This country is the bastion of freedom and liberty in an imperiled world today because of its primacy in that field.

In 1939 Niels Bohr, a Nobel Prize winner, and a great Danish scientist, came to the United States to meet Enrico Fermi, here as a refugee from Italy. His wife was a Jewess. He refused to return to Mussolini's Italy after receiving the Nobel Prize in 1938 because she was subject to persecution in Mussolini's Italy. Fermi smuggled her across the frontier, and fled to America.

When Niels Bohr landed in New York, the man who met him there was Enrico Fermi. Niels Bohr told Fermi about two scientists in Germany, Strassmann and Hahn, who were ready to break the atom and who were on the verge of a significant nuclear discovery. Enrico Fermi, an Italian, and Niels Bohr, a Dane, went to see Professor Szilard, a Jewish refugee from the persecution of Europe. So we are talking about America as a haven. The exiled scientists talked it over. They were deeply concerned over the possibility that Hitler might achieve the bomb. They went to see another scientist by the name of Albert Einstein, another Jew, another refugee from persecution. Those four men aroused America to its peril. Albert Einstein wrote the famous letter to President Roosevelt. Roosevelt had the courage to give the "go-ahead." The best-kept secret of the war was launched. This country then invested the money and began our research for the atomic bomb. How prophetic is the date of December 2, 1942. 1942–1492. Transform those dates. Columbus in 1492, Enrico Fermi in 1942. It was Enrico Fermi in 1942 who, at Stagg Stadium in Chicago, first achieved an atomic chain reaction. He gave America the atomic bomb.

If we had followed the logic of those who are opposed to this legislation, we would have handcuffed America. We would not have had an Enrico Fermi. We would not have had a Professor Szilard. We would not have had an Albert Einstein. We would not have had Niels Bohr. And we would not have primacy in the development of a weapon that has protected the cause of freedom in the free world for these 20 years.

I am urging that it makes no difference what the race is, it makes no difference what the nationality is, it makes no difference what the place of birth is. What counts is the contribution that a person can make to this great America of ours. Let us open our doors and open our hearts to such people. Let us remove a stigma which would be a blot on American history. I am glad we are meeting today. I am hopeful we shall meet the House of Representatives and have this legislation enacted.

I raise my hat today to the memory of John Fitzgerald Kennedy and to the leadership of President Lyndon Johnson. By their efforts America takes a prouder place in the galaxy of nations in a world that seeks fairness and freedom.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. I have heard the Senator from Rhode Island speak eloquently before. I have always enjoyed his speeches. Today I compliment the Senator on the deep feeling he has expressed in the matter to which he has just addressed himself. I have heard the Senator speak on immigration bills before, the so-called pistol point bills that the Senate has passed from time to time because we could not get anything else. This is one issue that absorbs the humanitarian and patriotic feelings of the Senator from Rhode Island. I congratulate him for his outstanding speech.

Mr. DODD. Mr. President, I vigorously support the immigration reform bill of 1965.

Our present immigration law has split families, forced us to forgo talents needed for American science, education, and industry, and has discriminated between peoples on the basis of the country of their birth, without regard to the hardship thus caused them, their families, and the United States.

The basis for our immigration laws for the last 41 years has been a discriminatory system called the national origins system, designed to freeze the ethnic balance of our country in the form it had in 1920.

Instead of asking an immigrant what he can do for America, the national origins system has asked only, "Where were you born?"

Instead of setting a limit on immigration and admitting persons under that limit on the basis of their ability and desire to immigrate the national origins system has rejected many of those who have wanted to immigrate and offered permission to immigrate to people who have no such desire.

The unfairness and discriminatory nature of the national origins quota system is nowhere more clearly demonstrated than by the fact that in the last 20 years Congress has acted 10 times to alleviate its hardships, and in the last decade alone has passed hundreds of pieces of special legislation to allow 373,000 individuals into the country who were ineligible for admission under our present immigration laws.

For as long as I have been in the Congress, I have worked for a reasonable reform in the immigration laws.

I have introduced numerous bills dealing with immigration reform and have cosponsored others.

My efforts and those of my colleagues to bring rationality and compassion into our immigration laws have been met with some success.

Four times since 1957 we have made special provision for relatives of American citizens and for orphans.

Six times since 1948 we have enacted laws to allow immigration by refugees.

And every year many private immigration bills are passed, each of them intended to help people who are caught up unjustly in the rigidities of the national origins quota system.

But systematic and thoroughgoing revision of the unfair and discriminatory aspects of our immigration laws has yet to be accomplished.

This year I am cosponsor of S. 500, the Senate version of the bill now pending before the Senate, to make the changes in our immigration law which our economy needs, which our citizens want, and which American tradition demands.

This immigration reform bill is not designed to increase immigration.

In fact, it will not authorize a significant increase over the number of immigrants now allowed to enter the United States annually.

There will be some increase in immigration to the United States, but not more than three ten-thousandths of 1 percent a year of our present population.

The reason for this increase is not primarily that the bill authorizes more immigrants, but rather because the bill provides for more efficient and fairer administration of the whole immigration system.

And most of this increase is devoted to a special category to admit up to 10,200 refugees, a change which I have long wanted to see made.

The immigration reform bill will authorize the immigration of 170,000 persons from outside the Western Hemisphere each year.

Immigration from within the Western Hemisphere will be limited to 120,000 a year. Previously it has been unrestricted.

If these quotas are filled every year, our total annual immigration will amount to litle more than 1½ percent of our total population this year. By 1980, it will be barely more than 1 percent of what our population will be in that year.

Within these overall limits, permission to immigrate will be allocated on a first-come, first-served basis, with first preference to the families of immigrants already here and a 20,000-person annual limitation on any one country.

The bill also gives preference to people whose professional, scientific, or artistic ability will substantially benefit the United States.

The bill contains a new feature designed to protect U.S. workers from unemployment. It requires each immigrant to obtain a certificate from the Secretary of Labor that his presence in the United States will not affect U.S. employment, wages, or working conditions.

In short, Mr. President, the immigration reform bill replaces outmoded prejudice with rationality.

It provides compassion for separated families and protection for the United States worker.

It replaces distinctions based on nationality with distinctions based on individual worth and qualification.

The immigration reform bill will replace the existing law which makes a man's ability to be reunited with his family depend on the country in which he was born.

It will replace the law which has kept from our shores people whose skills we need to make our Nation stronger.

It will replace the law which has kept us from helping refugees from natural and manmade horrors to make a useful life for themselves and for our society in America.

It will replace a law which has contradicted the American heritage.

All of us in this country who do not descend from Indians are immigrants.

Our Nation's greatness is as much due to our diversity and our ability to live together as to any other factor in American life.

On our Statue of Liberty in New York Harbor we have written:

> Give me your tired, your poor, Your huddled masses yearning to breathe free. Send these, the homeless, tempest-tossed to me. I lift my lamp beside the golden door.

For 41 years a discriminatory immigration law has barred and tarnished our Golden Door. It is time to strike down those bars and restore its splendor.

It is time to pass the Immigration Reform Act of 1965.

Mr. SMATHERS. Mr. President, I support the pending legislation which amends the Immigration and Nationality Act of 1952 because I sincerely believe that it makes necessary and needed changes in existing law. These changes, in my opinion, protect the national security, as well as the economic well-being of this Nation.

The very able and distinguished Senator from Massachusetts [Mr. KENNEDY], the very able and distinguished Senator from Michigan [Mr. HART], as well as the very able and distinguished Senator from North Carolina [Mr. ERVIN], have previously pointed out in detail the provisions of the pending measure. Therefore, I will not take the time of the Senate to repeat what has already been adequately and fully explained.

I would, however, like to briefly comment upon the change made in the adjustment provisions contained in section 245 of existing law. The change made in this section does not repeal its provisions. Frankly I do not think there is any member of the Judiciary Committee who felt that this section should be repealed. However, the committee felt and rightly so that some leeway should be made when normal procedures cannot be followed by virtue of circumstances such as those which brought about the entry into this country of some 250,000 Cuban refugees since 1959.

Under section 13 of the bill, qualified Cuban refugees will be afforded an opportunity for adjustment of status from parolee to permanent residence upon application made to the Attorney General of the United States without departing therefrom. I would like to point out that the provision is permissive rather than mandatory and does not blanket all Cuban refugees with an adjustment of status. The usual screening process will apply in all cases.

Many of us are familiar with the Federal program of assistance administered by the Department of Health, Education, and Welfare designed to render effective asylum to Cuban refugees with opportunities for self-support, chiefly through resettlement. The program is carried out in cooperation with volunteer agencies, religious bodies, and civic organizations.

Unfortunately, many of the Cuban refugees who are skilled in the practice of law, medicine, and teaching have found it very difficult to apply their skills not only to the detriment of themselves, but to the detriment of our Nation as well. This is chiefly due to the fact that most States require individuals to have either permanent status or citizenship in order to practice their skills or professions.

I feel that the action taken by the Senate Judiciary Committee in amending section 245 of existing law is commendable indeed, and certainly will assist greatly in phasing out the Cuban refugee program.

By and large the Cuban refugees are a highly skilled group. It is estimated that at least 50 percent of them are in the professional, technical, and managerial fields. This change in section 245 will speed up the resettlement of these refugees and relieve their present dependency on public and private assistance programs. Such action is in our own national interest.

As a whole the pending bill will greatly improve existing law. As reported out of the Senate Judiciary Committee, I sincerely trust that my colleagues in the Senate will give the measure their wholehearted support.

The PRESIDING OFFICER. The committee amendment is open to amendment.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I ask unanimous consent that the pending measure be temporarily set aside, so that the conference report on the Defense Department appropriation bill may be called up.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1965, p. 24250, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, a yea-and-nay vote will not be asked for on this conference report. So far as we are planning, we shall not ask for such a vote. Some items need to be explained, so that a history may be made. I propose to speak for approximately 15 or 20 minutes. This conference report, if agreed to, will be succeeded immediately by the conference report on the military construction appropriation bill, and in that case, too, there will be no request for a yea-and-nay vote, but a short explanation will be made.

Mr. President, H.R. 9221, the Defense Department appropriation bill for fiscal year 1966, as agreed to unanimously by the committee of conference of both Houses contains a total of $46,766,419,000 in new obligational authority for the Army, Navy, Marine Corps, and Air Force. This is $10.1 million over the amount provided by the Senate and $1,698,919,000 over the amount provided by the House. It is a reduction from the revised budget estimate of $85,681,000.

I ask unanimous consent to have printed at this point in the RECORD a tabulation by appropriation titles, giving the appropriation for fiscal year 1965, the budget estimates for fiscal year 1966, the House and Senate allowances, and the conference action.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966 (H.R. 9221)

Comparative statement of the appropriations for the fiscal year 1965, budget estimates, House allowances, Senate allowances, and conference committee allowances for fiscal year 1966

TITLE I—MILITARY PERSONNEL

Item	Appropriations, fiscal 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference allowance
Military personnel, Army	[1] $4,221,000,000	[2] $4,102,600,000	[2] $4,096,100,000	[2] $4,092,291,000	[2] $4,092,291,000
Military personnel, Army (reappropriation)		(12,300,000)	(12,300,000)	(12,300,000)	(12,300,000)
Military personnel, Navy	[3] 3,074,000,000	[4] 3,055,000,000	[4] 3,055,000,000	[4] 3,055,000,000	[4] 3,055,000,000
Military personnel, Marine Corps	[5] 750,500,000	[6] 749,900,000	[6] 749,900,000	[6] 749,900,000	[6] 749,900,000
Military personnel, Air Force	[7] 4,442,500,000	[8] 4,393,800,000	[8] 4,393,800,000	[8] 4,393,800,000	[8] 4,393,800,000
Military personnel, Air Force (reappropriation)		(45,800,000)	(45,800,000)	(45,800,000)	(45,800,000)
Reserve personnel, Army	242,900,000		238,600,000	238,600,000	238,600,000
Reserve personnel, Navy	[9] 99,200,000	105,100,000	105,100,000	105,100,000	105,100,000
Reserve personnel, Marine Corps	[10] 30,900,000	33,000,000	33,000,000	33,000,000	33,000,000
Reserve personnel, Air Force	[11] 59,200,000	60,500,000	60,500,000	60,500,000	60,500,000
National Guard and Reserve personnel, Army		459,800,000			
National Guard personnel, Army	277,500,000		266,200,000	271,800,000	271,800,000
National Guard personnel, Air Force	69,300,000	71,300,000	71,300,000	71,300,000	71,300,000
Retired pay, Defense	1,399,000,000	1,529,000,000	1,529,000,000	1,529,000,000	1,529,000,000
Total, title I—Military personnel	14,666,000,000	14,560,000,000	14,598,500,000	14,600,291,000	14,600,291,000
Reappropriations		58,100,000	58,100,000	58,100,000	58,100,000
Adjusted total, title I	14,666,000,000	14,618,100,000	14,656,000,000	14,658,391,000	14,658,391,000

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army	$3,482,910,000	$3,379,100,000	$3,475,200,000	$3,483,600,000	$3,483,600,000
Operation and maintenance, Army, 1962 (liquidation of contract authorization)		(54,044,000)	(54,044,000)	(54,044,000)	(54,044,000)
Operation and maintenance, Navy	3,178,472,000	3,332,100,000	3,332,100,000	3,332,100,000	3,332,100,000
Operation and maintenance, Navy (reappropriation)		(8,600,000)	(8,600,000)	(8,600,000)	(8,600,000)
Operation and maintenance, Marine Corps	189,621,000	192,500,000	192,500,000	192,500,000	192,500,000
Operation and maintenance, Air Force	4,615,216,000	4,464,100,000	4,464,100,000	4,464,100,000	4,464,100,000
Operation and maintenance, Defense agencies	511,620,000	533,762,000	533,762,000	533,490,000	533,490,000
Defense industrial fund		[12]	[12]	[12]	[12]
Operation and maintenance, Army National Guard and Reserve		292,000,000			
Operation and maintenance, Army National Guard	191,424,000		208,800,000	208,800,000	208,800,000
Operation and maintenance, Air National Guard	237,552,000	238,000,000	238,000,000	238,000,000	238,000,000
National Board for the Promotion of Rifle Practice, Army	484,000	459,000	459,000	459,000	459,000
Claims, Defense	[13] 23,000,000	24,000,000	24,000,000	24,000,000	24,000,000
Contingencies, Defense	15,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Court of Military Appeals, Defense	579,000	579,000	579,000	579,000	579,000
Total, title II—Operation and maintenance	12,445,878,000	12,471,600,000	12,484,500,000	12,492,628,000	12,492,628,000
Reappropriations and contract authority liquidation		62,644,000	62,644,000	62,644,000	62,644,000
Adjusted total, title II	12,445,878,000	12,534,244,000	12,547,144,000	12,555,272,000	12,555,272,000

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army	$1,656,396,000	$1,223,100,000	$1,205,800,000	$1,204,800,000	$1,204,800,000
Procurement of aircraft and missiles, Navy	2,496,358,000	2,279,800,000	2,272,500,000	2,272,500,000	2,272,500,000
Shipbuilding and conversion, Navy	1,930,076,000	1,501,100,000	1,590,500,000	1,590,500,000	1,590,500,000
Other procurement, Navy	1,041,440,000	1,159,100,000	1,120,000,000	1,149,900,000	1,135,000,000
Procurement, Marine Corps	162,944,000	43,800,000	43,800,000	43,800,000	43,800,000
Aircraft procurement, Air Force	3,563,737,000	3,550,200,000	3,517,000,000	3,517,000,000	3,517,000,000
Missile procurement, Air Force	1,730,000,000	796,100,000	796,100,000	796,100,000	796,100,000
Other procurement, Air Force	779,096,000	834,500,000	829,100,000	829,100,000	829,100,000
Procurement, Defense agencies	62,000,000	24,000,000	15,200,000	15,200,000	15,200,000
Total, title III—Procurement	13,422,047,000	11,411,700,000	11,390,000,000	11,418,900,000	11,404,000,000

See footnotes at end of table.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966 (H.R. 9221)—Continued

Comparative statement of the appropriations for the fiscal year 1965, budget estimates, House allowances, Senate allowances, and conference committee allowances for fiscal year 1966—Continued

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Item	Appropriations, fiscal 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference allowance
Research, development, test, and evaluation, Army	$1,340,045,000	$1,438,000,000	$1,406,400,000	$1,406,400,000	$1,406,400,000
Research, development, test, and evaluation, Navy	1,372,760,000	1,472,600,000	1,439,200,000	1,439,200,000	1,439,200,000
Research, development, test, and evaluation, Air Force	3,112,000,000	3,147,800,000	3,103,900,000	3,103,900,000	3,103,900,000
Research, development, test, and evaluation, Defense agencies	498,715,000	500,400,000	495,000,000	495,000,000	495,000,000
Emergency fund, Defense	[14] 125,000,000	[14] 150,000,000	[14] 150,000,000	[14] 100,000,000	[14] 125,000,000
Total, title IV—Research, development, test, and evaluation	6,448,520,000	6,708,800,000	6,594,500,000	6,544,500,000	6,569,500,000

TITLE V—EMERGENCY FUND, SOUTHEAST ASIA

Emergency fund, southeast Asia	$700,000,000	[15] $1,700,000,000		[15] $1,700,000,000	$1,700,000,000
Total, Department of Defense	47,682,445,000	46,852,100,000	$45,067,500,000	46,756,319,000	46,766,419,000
Reappropriations and liquidation of contract authority		120,744,000	120,744,000	120,744,000	120,744,000
Adjusted total, Department of Defense	47,682,445,000	46,972,844,000	45,188,244,000	46,877,063,000	46,887,163,000

[1] In addition, $85,000,000 to be derived by transfer.
[2] In addition, $240,000,000 to be derived by transfer.
[3] In addition, $60,000,000 to be derived by transfer.
[4] In addition, $120,000,000 to be derived by transfer.
[5] In addition, $6,000,000 to be derived by transfer.
[6] In addition, $25,000,000 to be derived by transfer.
[7] In addition, $81,000,000 to be derived by transfer.
[8] In addition, $85,000,000 to be derived by transfer.
[9] In addition, $3,400,000 to be derived by transfer.
[10] In addition, $1,200,000 to be derived by transfer.
[11] In addition, $3,400,000 to be derived by transfer.
[12] $30,000,000 by transfer from Defense Stock Fund.
[13] In addition not to exceed $6,000,000 to be derived by transfer and to be immediately available.
[14] In addition, $150,000,000 to be derived by transfer.
[15] Submitted in S. Doc. 45. Not considered by the House.

Mr. STENNIS. Mr. President, in view of the interest expressed in certain aspects of the bill, I wish to make a few brief remarks as to the conference agreement. I shall then be happy to answer any questions.

The Senate will recall that after the House consideration of the bill, the President submitted a supplemental request for the southeast Asia emergency fund for $1.7 billion. I spoke at length about this when the bill was considered on the Senate floor. This $1.7 billion is included in the conference action and accounts for a substantial increase in the bill over the amount provided by the House. Funds are included to finance procurement and certain military construction items related to the war in Vietnam. It does not include additional costs brought on by the war in the areas of military personnel and operation and maintenance for which additional funds will be requested early next session. However, under the provisions of the present bill, sufficient funds are available under transfer procedures to assure the flow of men and materiel at required levels.

One item of general interest was the action taken on the Army Reserve components. The conference agreement has maintained the position taken by the Senate. It will be recalled that the budget requested that the Army Reserve be merged with the Army National Guard, and that the Senate failed to approve this unless legislation were passed approving such a merger. The conference committee agreed to this. The bill as it is now written does the following: First, it places a mandatory floor under the Army Reserve end strength for fiscal year 1966 of 270,000 and under the Army National Guard of 380,000. These are the strengths as provided in the Senate bill and are also the approximate strengths of the two components. Second, it provides the funds necessary to implement this program. Third, the section in the general provisions inserted by the Senate prohibiting transfer of funds to bring about the realinement of the Reserve components without the express approval of the Congress through the enactment of law hereafter has been retained with only a minor change.

The statement of the managers on the part of the House in House Report No. 1006 makes this doubly clear. On page 3 it reads as follows:

> It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that the Army Reserve be programed to attain an end strength of 270,000 in fiscal year 1966.
>
> It is the intention of the Committee of Conference, by its actions in connection with amendments 8, 10, and 62, to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard as had been proposed in the budget estimates for fiscal year 1966. It is further intended to express disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States. It should be clear from this action that the realinement or reorganization of the Army Reserve components can be effected only through the enactment of appropriate law.

From this, and from the language of the bill itself, there can be no doubt in anyone's mind that the Congress forbids any realinement or reorganization of the Army Reserve components unless substantive legislation is enacted.

It will be noted that there is a slight difference between the wording of the provision dealing with the mandatory floor of 270,000 for the Army Reserve and that of 380,000 for the Army National Guard. Essentially, this was done because the National Guard is already slightly over the floor strength and the Army Reserve is slightly under it. The conference committee did not wish to reduce the size of the Army National Guard. Furthermore, the conference committee did not wish to place the Army Reserve in a position of being forced to increase its present strength without regard to personnel qualification and recruiting capability. However, the use of the phrase "programed to attain" in the Army Reserve should in no wise be considered an opportunity to make reductions in the Army Reserve. Every effort must be made by the Department of Defense to achieve its goal of 270,000 within the limits of available personnel. To do otherwise would be to subvert the intent of the Congress.

Another item of general interest was the budget proposal for the Army's special training enlistment program for which a total of $31.2 million was originally requested. The Senate disapproved this program and the conference committee approved the Senate's position. The slight change from the Senate wording in the section in the general provisions in which the words "or similar programs" were deleted is not intended to enable the Department of Defense to initiate another STEP program under a different name, but merely to avoid precluding all educational and physical training assistance to military personnel should the Department so desire.

The House insisted that the section which the Senate had inserted on ship repair, alteration and conversion be deleted, and your conferees reluctantly agreed. This section would have provided that 65 percent of all such repair, alteration and conversion be done in public shipyards and that 35 percent be done in private shipyards. It is our view that this provision had proved to assure an equitable distribution of these funds between public and private shipyards. The provision is no longer in the bill. However, the House agreed to provide a statement in its report which reads as follows:

> The committee of conference is agreed that the most effective practical use of both pub-

lic and private shipyards must continue to be made since both are essential to the security of the Nation. The committee of conference is in agreement that allocations of funds for ship repair, alteration, and conversion should be made to both public and private yards on a reasonable and equitable basis consistent with the national interest. It is requested that the Secretary of Defense keep the appropriate committees of Congress informed at least quarterly of the allocations of funds for such purposes.

It is my personal view that this is a matter over which the Congress must continue to exercise surveillance in order to be certain that an equitable portion of such work is allocated to both public and private shipyards. Let me assure the Senate that this problem will be given very careful consideration again next year.

Mr. President, there is very lively interest in many parts of the Nation in this provision which was not included in the final version of the bill. There has been an allocation on funds for ship alteration and repair between Navy and private yards for 3 years now. I am fully satisfied that both the publicly and privately owned yards are absolutely necessary for the maintenance of our military security, and that the capacity to quickly alter, repair, and convert various ships, and do so quickly, is absolutely essential as a military necessity. We cannot afford to lose this capacity in either publicly or privately owned yards—much less in both. That is the basis for the allocation of these funds. Under the action of the conference the allocation is left to the discretion of the Department of Defense. The Department justified the funds and estimated that at least 23.6 percent of the funds would be allocated to the private yards.

Mr. President, I invite the attention of Senators to the special interest shown by the senior Senator from Oregon [Mr. MORSE], as evidenced by his remarks of yesterday in the CONGRESSIONAL RECORD.

I ask unanimous consent that the portion of this discussion yesterday between the senior Senator from Oregon and me, beginning halfway down the last column of page 24499 and ending on the succeeding page, be printed at this point in the RECORD.

Mr. President, this will give continuity to the debate on this subject, as well as underscore the expression of interest by the senior Senator from Oregon.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Mr. MORSE. Mr. President, I serve clear notice tonight that I shall be in the Pacific Northwest in 1966, urging the voters to strike back against an administration which is guilty of doing this great damage to our private economy, unless the administration takes necessary steps to right the wrong that Admiral Curtze seems bent on doing to the economy of my section of the country.

I hope the Senator from Mississippi will fully understand that, as the senior Senator from Oregon, with my trust and responsibilities to represent the people in my area, I raise these questions tonight. I do not ask him to agree with any of my political views—I never do—but I would appreciate any assistance that he can give to my State by way of making legislative history tonight or tomorrow as to whether his committee intends to maintain careful surveillance over the Navy Department and its Bureau of Ships, to see to it that they do not resort to what I fear will be very arbitrary discretion which will be applied by them, as indicated by Admiral Curtze in his letter to me.

Mr. STENNIS. Mr. President, if the Senator will yield to me for a brief response at this time, I believe that the Senator from Oregon has made a splendid statement, a very fair one—and penetrating, as is always true in his remarks, going to the very substance of the grave problem we have in the bill and the Senate version of the bill.

I was the author of the amendment providing for a 65–35 percent division of Naval money in the bill for ship alteration and repair—the division between the Federal yards, so-called, and the privately owned yards.

Mr. MORSE. The Senator from Mississippi was not only the author but also its great defender on the floor of the Senate. I wish him to know that I have told that story all over the State of Oregon.

Mr. STENNIS. I thank the Senator from Oregon for that, but it is only right, proper, and sound that we should have this provision, because it has proved valuable in the years we have had it in the bill, and it has not hurt the Navy. There was a clause in the version we had, the so-called escape clause, which would permit latitude by the Secretary of Defense in cases where he had to make exceptions in the military interest of the Nation. But this is a highly controversial question, as the Senator well knows. There are sentiments both ways. It was impossible, with all the existing facts, at this time, to hold the amendment in conference.

I have not yielded one bit on my ideas concerning the matter. That was my plea on the floor and in conference, that we absolutely must have some surveillance over this very large amount of money—I believe it is $850-odd million in the bill alone.

In justifying the money for the privately owned shipyards for the current fiscal year, there is pledged 26.3 percent of the funds to go to those yards, as the Senator knows.

I am going to write to the Bureau of Yards and Docks, to the Chief of Naval Operations, to the Director of the Bureau of the Budget, and even to the President of the United States, expressing my opinion and my conclusions as to the need for this surveillance.

I am sure that other Senators will follow this problem with much interest. The Navy is on trial in reference to this matter. They do not like the restrictions. They have not lobbied with me, as the term is used, but they know that that is their provision. But, if this large amount of money did not get some surveillance by Congress, Congress would be neglecting its duty. I also believe that the pressure will be so great, if we do not have this surveillance, that abuses could result.

We must absolutely, militarywise, maintain both kinds of shipyards. Each has its place. If the alteration, repair, and conversion capacity of the privately owned shipyards is going to remain unused, they cannot keep it standing there. They cannot maintain it on a standby ready-to-work basis from year to year as Federal shipyards can with the money of the Treasury Department behind them. They would have to liquidate the capacity. That is what would happen. Thus, I certainly pledge to the Senator my full interest in this matter.

Tomorrow I shall read the Senator's remarks in the RECORD. I shall also refer to them tomorrow when we take up the conference report, and summarize his points, if I may; and further address myself to those points so that they will all be in the RECORD.

Mr. MORSE. I am greatly indebted to the Senator from Mississippi. I thank him very much. He has given me a fine statement. I could not ask for more. The Senator can do no more under the parliamentary situation.

The Senator from Mississippi states that he is going to support surveillance of expenditures of this huge budgetary sum of money which goes to the Bureau of Ships. That is all I can ask for.

When he tells me that he is going to write letters on this subject, including the President of the United States, he has gone all the way in trying to cooperate with me.

He made the comment that the Navy does not like restrictions. The Military Establishment never likes restrictions.

As the Senator from Mississippi knows, I feel that if we are to protect the private segment of the economy, if we are going to maintain civilian control over the military, the military must be subject to restrictions. It must not be placed beyond the reach of reasonable restrictions.

I have felt that surveillance is a reasonable restriction. I agree that the Navy shipyards must be kept strong. I have always defended strong Navy shipyards, and will continue to do so; but, I do not intend to surrender to the Navy in what I believe would be a weakening of the privately owned shipyards, if the surveillance promised by the Senator from Mississippi is not maintained.

Once again, I thank the Senator from Mississippi very much for the legislative history which he has made this afternoon.

Mr. STENNIS. I thank the Senator. Let me add that there is general directive law on this subject with reference to the funds, but clearly there is still in order a limitation in the appropriation bill of the very type the Senate version of the bill contains, and so we are within bounds.

I thank the Senator very much.

Mr. MORSE. I thank the Senator.

Mr. STENNIS. Mr. President, I repeat, and I assured the Senator yesterday, that for my part I was going to do all that I could and give all the attention that should be given to the matter to insure that the proper surveillance over the Navy and the Bureau of the Budget will be afforded by all parties. I also stated that I would write a letter to the President of the United States incorporating my impressions concerning the importance of this matter so as to keep it before him and his most immediate staff. It is a matter of the greatest interest and highest importance.

One other item of major interest was that dealing with the direct and indirect costs of research grants. The Senate conferees receded from their position and agreed to the House language, but did so only with the understanding as expressed in the conference report that funds for research grants will be limited to those amounts justified in the budget presentations. The committee intends to follow this matter closely during the current fiscal year.

The committee intends also to follow this matter with interest and attention. I also point out that we yielded in part here for the sake of uniformity. Other appropriation bills have already included this provision.

We are also depending on the Bureau of the Budget to promulgate regulations

to implement this provision which will be fair to the Government, and the institutions receiving the grants. It is not an easy matter to deal with this because such a difference exists in the various colleges and universities with reference to their cost.

In conclusion, I wish to remind the Senate of what I have repeatedly stated in connection with this bill. Although the Department of Defense has assured the Congress that the funds and flexibility provided are adequate at the present time, it is certain that a supplemental request of substantial proportions must be submitted early in the next session in order to fully fund the war in Vietnam and for other purposes. With that understanding, and barring unforeseen contingencies, it is my belief that the conference action you are being asked to approve today will provide for our defense needs until the Congress reconvenes.

Mr. President, it goes without saying that Representative GEORGE MAHON, of Texas, did his usual fine work in handling this measure. He sent to the Senate a splendid bill this year.

I urge the adoption of the conference report.

I note that there are Senators present in the Chamber who may have an interest in the pending measure. I know that the senior Senator from Massachusetts is interested. If he wishes, I shall yield to him at this time.

Mr. SALTONSTALL. Mr. President, I thank the Senator.

Mr. STENNIS. Mr. President, I commend the Senator from Massachusetts for his very fine and helpful work on this bill since last February when it started on its journey.

Mr. SALTONSTALL. Mr. President, the Senator from Mississippi upheld very strongly the position of the Senate in the conference. The bill which has come from the conferees is a fair bill from the point of view of the Defense Department this year.

The amount of the Defense appropriation bill for fiscal year 1966 as it came out of conference totaled $46,766,419,000 which is $85,681,000 below the January budget estimate. The total is $1,698,919,000 above the House figure but it should be borne in mind that a supplemental request of $1,700 million—for the problems in Vietnam—was submitted to the Senate for the Emergency Fund, southeast Asia, between the time the House had acted and final action by the Senate. In effect, the House and Senate appropriations for the Defense Department, after eliminating the $1.7 billion, are approximately the same amounts. The conference action raised the overall figure $10 million above the amount approved by the Senate. I believe that is the smallest change that we have had on a matter of this kind for a number of years.

In my opinion the defense needs of this country have been adequately provided for temporarily. However, I expect that in January the administration will request from $7 to $10 billion in additional funds, in connection with the southeast Asia operation and in connection with procurement for all our Armed Forces.

The Congress has been most willing to provide the necessary funds in view of the emergency situation facing the Nation. It has depended on the recommendations of the military and has made available sufficient funds to take care of their immediate needs. Some, however, feel that more money should be provided, but we have been assured by the Defense Department that they have a sufficient amount of money to carry them over until next year.

As the Senator from Mississippi has pointed out, there were several rather strong differences of opinion between the House and the Senate which had to be adjusted in conference.

The position taken by the conferees with reference to the realinement of the National Guard and Army Reserves is consistent with the intentions expressed by the Senate in that it is based on the introduction and passage of legislation to bring about the merger.

The language on page 5 of the conference report referring to amendment No. 62 makes this clear. Mr. President, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Amendment No. 62: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that funds may be transferred to implement a realinement or reorganization of the Army Reserve components only upon the approval by Congress through the enactment of law of such a realinement or reorganization.

Mr. SALTONSTALL. After much discussion the conference committee decided to eliminate the allocation of funds for ship repair, alteration, and conversion to be made to both public and private yards. In prior years this has been on the basis of 65 percent to public yards and 35 percent to private yards. The deletion of the Senate language was agreed to with the understanding that strong language would be put in the report to the effect that the Congress would carefully review the allocation of this work by the Navy Department, and expect the Navy to keep the members of the appropriate committees of the Congress informed.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the language from the committee report.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Amendment No. 61: Strikes language proposed by the Senate with respect to the allocation of funds for repair, alteration, and conversion of naval vessels.

The committee of conference is agreed that the most effective, practical use of both public and private shipyards must continue to be made since both are essential to the security of the Nation. The committee of conference is in agreement that allocations of funds for ship repair, alteration, and conversion should be made to both public and private yards on a reasonable and equitable basis consistent with the national interest. It is requested that the Secretary of Defense keep the appropriate committees of Congress informed at least quarterly of the allocations of funds for such purposes.

Mr. SALTONSTALL. The Senate conferees agreed to the restoration of the language proposed by the House respecting the share of costs of research project grants which is in conformity with similar language concerning grants made by the Department of Labor, Health, Education, and Welfare and the independent offices appropriation language.

Mr. President, the conferees' agreement was a strictly temporary matter, to be worked out this year on grants. On contracts it does not apply, but only on grants. We wanted to see how it would work out in the current year, rather than providing any strict percentage amount, as has been the case in prior years, of either 15 or 20 percent in the last few years.

I commend the chairman of the committee for the excellent manner in which he handled this appropriation measure and I join with him in supporting approval of this conference report by the Senate.

Mr. STENNIS. I thank the Senator, and again emphasize his very fine contribution to all the work, including the hearings on the bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. Was there any proposal, with certainty, to close certain naval yards, on the grounds that economies could be achieved?

Mr. STENNIS. There is nothing new in the bill concerning that subject. That was a matter that was announced last December, as the Senator will recall, and no action thereon is required by the pending bill. The order of the President in his progressively closing certain Navy yards has not been changed.

Mr. LAUSCHE. About a year or perhaps 18 months ago, there was an announcement issued about the closing of military bases, some of which were in Ohio, and an announcement about the closing of naval yards that were doing repair work, on the ground that the work could be done with less cost in private yards.

Mr. STENNIS. Yes.

Mr. LAUSCHE. I think Philadelphia—

As I recall the New York and Portsmouth yards are to be closed and two west coast yards are to be consolidated.

Mr. STENNIS. New York.

Mr. LAUSCHE. Yes. A yard in New York, and a yard on the west coast, were contemplated to be closed.

Mr. STENNIS. The Senator is correct. That order has never been changed. That was a progressive closing. It will take several years to implement the closing plan, and that process is continuing without being affected by the pending bill.

Mr. LAUSCHE. At the time that notice was given, I made the statement that I would cooperate with the Department of Defense in closing the military bases in Ohio, but I wanted to make certain that there would be equal treatment given to every State. Is that order still unhampered by what has been done here?

Mr. STENNIS. That is correct, absolutely correct.

Mr. LAUSCHE. With regard to the realinement of the Reserves and the National Guard, the effect of what the conferees did is not to abide by the recommendation made by the Secretary of Defense that there should be a realinement?

Mr. STENNIS. That is correct. In other words, this is a money bill, and we refuse to put the money in the bill and leave it to someone else to decide the Guard and Reserve matter. We said the funds would be used for the National Guard and Army Reserve, as herein provided, unless Congress enacts legislation approving a reorganization.

Mr. LAUSCHE. Yes. The Secretary of Defense took the position that the efficiency of the military service would not be impaired by a realinement, but that economies would be effected if that alinement were made. Am I correct in that understanding?

Mr. STENNIS. Yes. However, the savings resulted from a proposed reduction in the Army Reserve component forces.

I have some special prepared remarks that I shall make as soon as the Senator concludes his questions, which would cover that subject. I should like for him to hear what I shall say.

Mr. SALTONSTALL. Will the Senator yield and permit me to make a remark on that point, or would he prefer to have me to wait until after he makes his remarks?

Mr. STENNIS. If the Senator will be brief, I will yield to him.

Mr. SALTONSTALL. No; go on.

Mr. LAUSCHE. The purpose of putting these questions with respect to the latter suggestion is that I have applauded the Secretary of Defense in his efforts to achieve economies in the operation of the Defense Department without impairing the efficiency of our defense structure.

Mr. STENNIS. The committee applauds his efforts, also. The Secretary of Defense, Mr. McNamara, is entitled to a great deal of credit for economies achieved in the procurement field, the management field and many others.

But for reasons that are very clear to us, we unanimously rejected the idea of him unilaterally making this realinement and reorganization of these important military units.

Mr. LAUSCHE. Has involvement in Vietnam and possible troubles in China and India had any influence on the committee's reaching the decision about nonrealinement?

Mr. STENNIS. We believe that any far-reaching reorganization such as this would not hasten readiness, but would destroy some of the readiness we have. I had rather make my prepared statement about the matter, if I may, and then I can answer any further questions the Senator may have.

Mr. President, I have already outlined in brief what we did with reference to rejecting the plan of the proposed merger.

We must remember that the legislative committees during this entire session have held hearings on this very proposal in the House and the Senate, and did not see fit to approve the merger plan. Now, at the last minute, the Department of Defense attempted to come in the side door and get half of it approved and authorized in this bill. We had warned them for months that that would not be the place to do it, but I wish to state very briefly some of the things that we learned about it, and I refer—with all deference to Mr. McNamara and his position—to a statement that he made immediately after the conferees had reached the agreement, wherein he charged that "the congressional action perpetuates unneeded, wasteful, useless units in our Reserve and Guard organizations."

That statement could make it appear that the Congress is needlessly and wrongfully blocking the attainment of enhanced combat readiness by the Army Reserve components, and prompts me now to go into some detail on the subject.

This charge is not factually correct. It is factually incorrect, as we found from the evidence. In the first place, Senators should know that the Reserve organization structure, which the Secretary now describes as containing "unneeded, wasteful, useless units," is what he and his spokesmen themselves urged upon Congress in 1962 as being responsive to the need of Reserve components and necessary to achieve a high degree of combat readiness and military preparedness. It is his original military proposal, which we considered last December.

He spoke of it then as already an accomplished fact, rather than a proposal to be studied and considered by the Congress. However, the merits of the proposal were carefully weighed and inquired into in extensive hearings before the Preparedness Subcommittee of the Senate, and before the Armed Services Subcommittee of the House, chaired by Representative HÉBERT. The evidence before the Preparedness Subcommittee failed to convince a majority of the members of that group that the plan was sound and desirable, or that it would in fact achieve its declared objective. The result was the same in the House of Representatives. In announcing the subcommittee decision, Representative HÉBERT said:

> The merger, as approved by the Department of Defense, would result in an immediate and serious loss in the combat readiness of the affected units.

This was with reference to the original merger proposal, which was to eliminate the unit structure of the Army Reserve, and reduce the Army Reserve forces on a drill pay status from 700,000 to 550,000.

After the rejection of this plan, the Department of Defense presented and insisted upon a modified plan which would have effected a merger in 17 States. This 17-State plan had never been presented to the Armed Services Committee or the Appropriations Committee until after the Senate had passed the Department of Defense appropriation bill. This partial merger plan, if approved, would have gone so far that a complete merger would ultimately have been inevitable. In essence, all it meant was that two steps rather than one would be taken to accomplish the original merger proposal.

The modified plan was rejected by the Senate Appropriations Committee and subsequently by the Senate itself. With some minor modifications, the conferees have adopted the Senate position.

As I say, this was a late call. It was not even reduced to writing. So far as I know, I had not seen it in written proposal form until after we had held the first conference meeting on this appropriation bill.

Whether or not Secretary McNamara appreciates the congressional processes or agrees with its conclusions, he should at least recognize when the Congress has spoken and respect both its considered judgment and sincerity of purpose. The Secretary and his representatives had a full and fair opportunity to present their views and arguments on both the original and modified merger proposals.

This matter has been given as much attention this year, by several Members, as has been given to any other one subject. I note that over and over again, week after week, and month after month, I have given it attention from every conceivable point of evidence, information, and judgment, and I have talked with many highly competent military men about the effect of this merger on our readiness.

The fact of the matter is that, since Secretary McNamara announced his merger proposal last December 12, the Army National Guard and Reserve programs have been on dead center. As a result, readiness has suffered and continues to suffer. It would appear to me that our national security will be best promoted if the decision of the Congress is accepted in good grace and if the Secretary of Defense will devote his very considerable talent, energy, and ability to bringing the Army Reserve components to the highest possible level of combat readiness and military preparedness under the law which Congress has fashioned. Then, if and when Congress decides to change the law, the plans can be made.

I take second place to no one in my desire to insure that the Reserve forces are brought to the highest possible state of preparedness and readiness. I am convinced that this can be done under the recommendations of the conferees, and under the plan which the conferees have adopted.

I do not feel that the language agreed upon hampers or restricts the Secretary of Defense adversely in this respect. I say that based upon some of the finest of

military counsel and advice which is obtainable.

There are already plans in existence for the operation of the Reserve Forces under this language which, if promptly, conscientiously, and vigorously implemented, will produce more readiness, faster, and at less cost than either the original or the modified merger plan. These plans permit the selection of high-priority units already in being, in the role for which they have been manned, equipped, and trained. They avoid the serious loss of existing readiness which would result from the merger reorganizations, consolidations, and conversions of units generating a requirement for unit and individual retraining, and long-term school training for key personnel. They do not entail the breaking up of existing high-priority units or the loss of skilled, trained, and valuable manpower which the Secretary's plans would have brought about.

I might add that the military experts who testified before the Preparedness Investigating Subcommittee agreed that all major reorganizations in the past had resulted in turbulence and loss of readiness. We can ill afford this, in view of our present involvement in southeast Asia and international tensions in general.

What is needed at this time is realistic and adequate support for the Reserve Forces, to bring them up to the high standards of combat readiness which is so urgently required.

When I refer to support, I have in mind equipment, training, and money. The personnel and the units are already available. They are doing an outstanding job with the limited equipment and training opportunities available to them. They need much more in the way of training and equipment. We already have the men and the units as a going concern. The Reserves need much more equipment of all kinds.

In addition to substantial existing shortages of equipment, a high percentage of the equipment on hand is suitable for training only, and is not suitable for sustained combat, should that become necessary.

I am speaking of overage, obsolescent, and outdated equipment. Within the past 12 months, in many instances, equipment has had to be recalled from these units for use in the active forces. I know of some instances where equipment was given to them 2 or 3 years ago, and the State spent a good deal of money on it, and then the Army had to recall it. Therefore, on the matter of getting ready, the Reserves already have the organization, officers and men, but they need more training and more equipment.

It is true that they will have to put a few more men in their divisions, in order to bring them up to improved strength. We are not going to permit them to take men out of the Reserves and put them in the Army National Guard. They did not propose to do that under their plan, unless the men consented. The Reserve units are largely under enforced service—not many men will willingly and voluntarily enlist in the National Guard. Some of the officers will. But we have looked at the problem very closely and believe that they were going to get only a few men under the Department's plan.

They can call up and put more men in any National Guard unit they wish. They can put them in there as 6-month trainees, and they can bring the organization up to a fine standard of readiness training. The money is in the bill. They have everything necessary to do that. I do not blame anyone for even at a late date in trying to secure a partial reorganization. But in the soundness of what we thought was the obligation and duty of the legislative branch of the Government, we refused to approve it. We will consider it next January, of course, as we should.

The proposal was that we appropriate the funds and then, later, the Department of Defense and the committees, not Congress—the Armed Services Committee of the House and the Armed Services Committee of the Senate—would reach some kind of agreement whereby realinement could be brought about.

With a sense of obligation to Congress, and with a sense of obligation to the Constitution of the United States, the legislative branch of the Government—not the committees thereof—is the agency to make a decision of that kind. I never would have agreed—never would have—to the prostitution of the processes of constitutional government on that point.

Mr. President, all of my remarks are made with a personal deference to Mr. McNamara. I question his judgment on some matters, sharply, as I do in this case. But I think he is doing a fine job in many fields of endeavors; I know that he has a hard job to fill; perhaps the most difficult in the Nation next to the Presidency. He has enormous energy, is thorough and complete. My obligation, though, is not to him. It is to the Senate and to the Nation.

For the past several months, the Preparedness Investigating Subcommittee has been looking into the readiness of the Active Army. We found significant equipment shortages and large stocks of overage equipment that should be replaced. As one might suspect, the condition is much worse in the Reserve forces.

I am supported by the facts when I say that there just is not enough equipment available to equip the Active Army forces in the manner they should be and that, regardless of equipment management, there just isn't enough to go around. As a matter of fact, one method which has been suggested to alleviate the Active Army shortages is the recovery of equipment from the Reserve forces. To an extent this has been done already. Last year large numbers of trucks and communication equipment were recaptured from the Reserve forces for Active Army use. This practice has continued this year.

Mr. SALTONSTALL and Mr. LAUSCHE addressed the Chair.

Mr. STENNIS. I should like to yield to the Senator from Massachusetts first, and then——

Mr. SALTONSTALL. If the Senator is through——

Mr. STENNIS. I am virtually through.

Mr. SALTONSTALL. I thank the Senator from Ohio for letting me speak first. The Senator from Mississippi and I sat together with other Members of the Senate on the Senate Preparedness Investigating Subcommittee; and, starting last January, we heard the subject discussed and brought before us on several occasions. At that time, we knew that the House subcommittee, headed by Representative HÉBERT, of Louisiana was going into the subject of the National Guard and Reserves in great detail. We said we will make no report now to the Preparedness Committee on this very fundamental question until we see what the House committee does and what suggestion it may make. Mr. HÉBERT's committee had a number of hearings, and in the end decided to do nothing.

As the Senator from Mississippi has so well said, the principal function of the Appropriations Committee is to provide funds based on the present law.

The House removed the mandatory provision in the 1965 act and made it possible for the Defense Department to go forward with reorganization without having to come before the legislative committees.

There were several conferences on that matter, and the conference report that was finally agreed upon is similar to the language that has been used in past years.

The Senator from Mississippi and I, as well as others, agreed that until the law was changed, we should abide by the present law, and make appropriations accordingly, and then, through the proper legislative committees of Congress agree on the legislation.

I read from the language accompanying the conference report:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 8, and concur therein with an amendment, as follows:

In lieu of the matter proposed, insert: ": *Provided*, That the Army Reserve will be programed to attain an end strength of two hundred seventy thousand for fiscal year 1966".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert: ': *Provided further*, That the Army National Guard will be programed to attain an end strength of not less than three hundred eighty thousand for fiscal year 1966'."

That is the same language in substance—the amounts may be a little different—that we have had in past years.

With respect to section 639 of the conference report, which was a new provision, let me quote that language:

Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve components, the Secretary may

transfer the balances of appropriations made in this act for the support of the Army Reserve components to the extent necessary to implement such a realinement or reorganization; and the provisions in this act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective.

As the Senator from Mississippi has so well described, we said we would appropriate according to the present law, because the legislative committee, the House Armed Services Committee, decided not to enact any legislation. Therefore, there was no authorization bill before the Senate.

The Military Appropriations Subcommittee appropriated the money in the only way it could appropriate. That is what the Senator from Mississippi has stated. That is the position of the Senate conferees.

I say this, that we can have this matter up again the first of the year. I personally feel that if the President, or the Secretary of Defense, or the Secretary of the Army feels that a realinement is necessary to create efficiency, the appropriate officials of the Pentagon can submit a bill to the Armed Services Committees of the House and Senate. I personally believe that if they can show a real need for the change, because of the necessity for building up the strength in the divisions, in view of what has been going on in Vietnam and other sections of the world, Congress will carry out its responsibility and do it promptly. There then can be realinements and reallocations. But until there is legislation, I support the Senator from Mississippi. I agree that we should not do anything about the realinement of the Army, the National Guard, or the Reserves, when there is some question as to whether it can properly be done, because Congress, under the Constitution, has the responsibility of appropriating funds for the Armed Forces.

Therefore, I believe the position of the Senate, which was sustained by the House conferees, is the correct one. I commend the Senator from Mississippi for the able way in which he described the procedures in the Senate Preparedness Subcommittee and in the Appropriations Committee. He and I and others have worked on this subject. We have been in accord upon this message.

Mr. STENNIS. I thank the Senator for his remarks.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Ohio.

Mr. LAUSCHE. This appropriation bill will have to be approved, and I will support its approval. However, I hope, that the fine purposes and intentions of the Secretary of Defense, Mr. McNamara, in attempting to eliminate waste and improve the efficiency of the military structure will not be dampened by what is being done here.

I recognize the absolute sincerity of purpose on the part of the Senator from Mississippi and the Senator from Massachusetts. However, I must say that I have been highly impressed by Secretary McNamara's efforts to introduce economies without impairing the efficiency of the military units and the progress that he has made in that effort.

One further thought and I shall close. It was my understanding that, under the existing law, the Secretary of Defense had the power to realine and readjust the Army Reserve and the National Guard, but that by the appropriation bill, with respect to which Congress has control of the purse, that power has been taken from him.

Mr. STENNIS. The Senator is incorrect.

Mr. LAUSCHE. I would like to have the Senator comment on that latter statement.

Mr. STENNIS. There is no comment to make, that the Senator from Mississippi knows of, except that after careful consideration of this matter, during the entire year, one might say, almost every committee of the Congress concerned with the matter has considered it, and has decided that the Secretary does not have the authority to make the transfers.

According to press reports, Mr. McNamara changed his mind. He had a joint press conference for Representative HÉBERT, of the House Armed Services Committee, and agreed with Mr. HÉBERT that to carry out the proposals, there would have to be legislation on the subject.

Mr. LAUSCHE. And that is the basis on which the conference proceeded?

Mr. STENNIS. Not so much on what Mr. McNamara said, but upon making our point on that very issue, he changed his mind, and there has been no legislation on it.

There is not going to be any general legislation on this matter this session, as we all know. There was agreement that there would have to be legislation before there was agreement on the conference report. The conference report reiterates what the findings have already been. Let me refer to the language. It is the intention of the committee of conference, by its actions in connection with amendments 8, 10, and 62, to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard as had been proposed in the budget estimates for fiscal year 1966. It is further intended to express disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States. It should be clear from this action that the realinement or reorganization of the Army Reserve components can be effected only through the enactment of appropriate law.

Mr. LAUSCHE. Did I correctly understand the Senator from Mississippi to say that the Secretary of Defense still would have the power to proceed substantially unhampered by what is being done?

Mr. STENNIS. He would not have the power to merge the forces. But he can proceed to fill the vacancies in the National Guard divisions, or regiments, or the Army Reserve regiments, and bring them up to a high state of readiness in training and manpower, and if the equipment is available, to give them the equipment.

I believe that a plan has already been prepared in the Pentagon to do that. It has already been formulated.

It is no transgression to say here that Secretary Vance communicated with us this morning. He wanted to explain what was proposed under this proposal. I assure the Senator from Ohio——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I believe the Senator from Massachusetts had a remark to make.

Mr. SALTONSTALL. I thank the Senator from Mississippi.

On page 57 of the memorandum, there is a colloquy between General Wright and myself. I will not read it all, but only the pertinent part:

Senator SALTONSTALL. If I might interrupt there, does the Defense Department now agree that legislation is required of Congress before this National Guard and Reserve combination and cutting back the 550,000 men is completed?

General TAYLOR. I would like to ask General Wright to answer that question.

Senator SALTONSTALL. You have apparently based this budget on the new setup, so that if the legislation is required, we have to go back to the old setup and you would have to give us a revised set of figures, would you not?

General TAYLOR. We would, Senator.

Senator SALTONSTALL. It is my understanding that the Secretary of Defense now agrees that legislation is necessary.

General WRIGHT. Yes, sir; that is correct. The Secretary of Defense and Mr. HÉBERT of the House committee have agreed that legislation is necessary.

Senator SALTONSTALL. So from our point of view, unless that legislation is passed, we go back to the old system.

General WRIGHT. Yes, sir.

Senator SALTONSTALL. You will have to submit to us new figures, then?

General WRIGHT. Yes, sir.

Senator SALTONSTALL. Thank you.

Mr. STENNIS. Will the Senator from Ohio wait a moment? I know he is exceedingly thorough in the way he considers matters. I want him to get all of the information. I want to answer the question about the law. There was a press conference on May 16, 1965, at the Rayburn House Office Building, attended by Representative HÉBERT and Secretary McNamara. Secretary McNamara started. He introduced the subject and made this statement:

We think these hearings have indicated that certain legislative changes are necessary if the realinement plan is to fully achieve our ultimate objectives, and we are, therefore, submitting to the Congress for its consideration certain supporting legislation. This will include legislation in five areas.

Further, on this point, I will say to the Senator from Ohio that the legislation on the subject for several years has come in the appropriation bill. That legislation has been maintaining these two groups. That legislation lasts for only 1 year, as the Senator knows.

The substance of what Secretary McNamara was proposing to us this year for the first time was: "Leave out provisions

in the appropriation bill establishing strengths for the National Guard and Army Reserve. If you turn me loose, I will have all that money to use as I see fit."

That is the real situation. Without the language here, he would have authority to decrease Reserve strength.

I believe the question of the Senator is a good one, and I hope that covers it.

I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator. I believe he covered most of what I proposed going into now.

As I understand it, before the Secretary of Defense can transfer personnel of the Reserve to the National Guard, by Executive order or departmental order, there must be appropriate legislation.

Mr. STENNIS. The Senator is correct. That is the point the Secretary recognized when he had been convinced during the hearings and that is one of the things he referred to in his statement of May 15.

Mr. HOLLAND. I thank the Senator. That seemed so clear to me all the way without trying to question the wisdom of the Secretary's suggestions.

Mr. STENNIS. Yes.

Mr. HOLLAND. It may be a wise suggestion and a wise reorganization.

It seems to me that the effort to accomplish the transfer by Executive order on the executive side of government, without recognizing the constitutional authority of Congress to deal with this subject, was completely abortive.

Mr. STENNIS. The Senator is correct.

Mr. HOLLAND. I am glad that there resulted from the series of hearings and the action of the committee, so well headed by the distinguished Senator from Mississippi and the distinguished Senator from Massachusetts, that kind of ruling now agreed upon, as I understand it, by the legislative and the executive departments.

It has been so agreed, has it not?

Mr. STENNIS. It is if this conference report is agreed to. Yes, it has been agreed, as the Senator said.

Mr. McNamara agrees that the legislation is necessary.

Mr. HOLLAND. I do not see how it can be otherwise. I understand from the Constitution that the powers of Congress are stated as, first, to raise and support armies.

Mr. STENNIS. Yes.

Mr. HOLLAND. And then continuing, to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States.

In other words, the Constitution defines in treatment of the organized militia, between what may be done when they are not called into the service of the United States and when they are federalized into the service of the United States.

Of course, we are in a time of peace. The National Guard has not been called into the service of the United States. The Reserve exists under separate legislation with separate rights recognized as existing on behalf of both the commissioned and enlisted personnel. It seems to me the committees have come to a more salutary conclusion. I am glad the executive department, for the time being at least, joined them in that conclusion because, after all, the authority is vested in Congress to organize, equip, regulate, and set up the legal background upon which the various components of our defense may be organized.

I congratulate the Senator warmly upon having this kind of satisfactory conclusion emerge from his labors which began early this year.

The two Senators are on the floor of the Senate now, the Senator from Mississippi and the Senator from Massachusetts, who have made magnificent contributions always to the defense of our country, but never better than now.

Mr. STENNIS. I thank the Senator from Florida for his fine and generous language.

With respect to the Reserve and the National Guard, I have steadily favored for more than 10 years, that I can recall, a high priority for all of our Reserves; that they be given a better place at the table; that they not have to sit at the third table for money, for equipment, for recognition, and for a place in the sun.

It has been the legislative branch of Government, through its Committee on Armed Services, and the Appropriations Committee, not the Pentagon, that has pushed the Reserve forces and given it a high priority, more recognition, more equipment, more money, more buildings, and they have been scant even at that.

It is like pulling eyeteeth to persuade the Department of Defense to provide the facilities, the armories. They are such small items like storage at summer training for the National Guard, and even for latrines.

I estimate that over one-half of the military construction throughout the Nation for the past several years for the National Guard has been in items that were put in by the legislative branch of the Government.

That is to take care of the very small units and the summer training.

Frequently Congress appropriates money, and the Department is quite slow in spending it. We have urged the Department to provide the National Guard units and Army Reserve units with better equipment. We have worked primarily for the benefit of those services rather than for the Air Force and Naval Reserve, because of the different situation. The Army Reserve and National Guard are now pleading and begging for equipment that will come up to the standards needed for adequate training. In many instances, they are required to train with old weapons that cannot be used any longer in regular services. In a way, that is tragic.

The Senate Subcommittee on Preparedness was working on this subject when the bold announcement was made last December that there would be a merger. No request was made of Congress for a merger. There was no seeking of advice; merely an announcement that the merger would take place.

The Committees on Armed Services of both the Senate and the House have been working on this subject for a long time. I do not feel that I have been neglected by not being consulted—not in the least. But the chairman of the Committee on Armed Services, the distinguished senior Senator from Georgia [Mr. RUSSELL], was not consulted; he was merely told that the Department intended to effect a merger. He is not complaining about that action, and I am not authorized to complain for him. But the interest in the Army Reserve and National Guard has come from the legislative branch of the Government. We are ready to appropriate more money to provide them with more equipment and to give high priority for all Reserve forces.

I have never said that I would oppose a merger that was proved to be sound, solid, and helpful, and that could be enacted by Congress. But I would oppose all mergers by Department of Defense fiat. I think we shall get off to a better start now because the question has been decided.

I plead for more support from the Secretary of Defense and more support for the Reserves and the active members of the service. I suppose it is natural for them to do so, but they have ways to find a need for money for the Active Forces rather than for the Reserves.

The citizen soldier typifies one of the finest concepts of American citizenship. I am not talking about a few men; the Reserves and the National Guard consist of about 650,000 men in organized units, scattered throughout the Nation. They serve at little pay and at great inconvenience. They have some of the highest ratings of efficiency. It is amazing to read the record of some of the Reserve and Guard organizations. They did not score themselves; neither were they scored by their counterparts in other States. They were scored by Regular Army officers. It is a pleasure to read the efficiency ratings of many of these units.

I have had experience with the money side of military problems for many years. I believe it is fair to say that as a general proposition the maintenance of five Reserve units for a 12-month period can be accomplished for the cost of one Regular unit.

The legislative branch of the Government is the one that has been the friend of the National Guard and Army Reserve and has demonstrated its support and sustained interest as we demonstrate it now.

I believe that this bill will augment the National Guard and Reserve services, and if a good plan for realinement is submitted for legislative consent, I shall be one of the first to welcome it.

I should like to make a brief reference to the times within the memory of many Senators when the Army Reserve and Army National Guard were called into service in recent history, as in 1916, 1917, and 1918.

The Army National Guard was called upon to serve during World War I, and answered the call with 18 divisions composed of 300,000 men.

I remember, as a little boy, that the first man I ever saw in uniform was a member of the Army National Guard.

Mr. President, I ask unanimous consent to have printed in the RECORD statistics on this subject.

There being no objection, the statistics were ordered to be printed in the RECORD, as follows:

In 1916 and again in 1917–18, the Army National Guard was called upon to serve.

During World War II, the National Guard answered the call with 18 divisions, comprising 300,000 men.

The National Guard furnished 1,672 units, including 8 infantry divisions, which included 138,600 men during the Korean war.

In 1961 during the Berlin crisis, the National Guard furnished 138 units, with 44,000 men.

The Army Reserve also supplied units during World War I.

During World War II, the Army Reserve supplied 26 divisions and other units that included 112,000 men.

During the Korean war, the Army Reserve furnished 244,300 men, in addition to some 43,000 Army Reserve officers already on active duty.

The Army Reserve furnished 294 units, with 68,833 men during the Berlin crisis.

Mr. STENNIS. Mr. President, I ask that the Chair put the question.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9221, which was read as follows:

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 16 and 31 to the bill (H.R. 9221) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 8, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert: ': *Provided,* That the Army Reserve will be programed to attain an end strength of two hundred seventy thousand for fiscal year 1966".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert: ': *Provided further,* That the Army National Guard will be programed to attain an end strength of not less than three hundred eighty thousand for fiscal year 1966'."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert: ': (h) for the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446a, title 7, United States Code'."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 62, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert:

" 'SEC. 639. Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve Components, the Secretary may transfer the balances of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realinement or reorganization; and the provisions in this Act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective.' "

Mr. STENNIS. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments numbered 8, 10, 24, and 62.

The motion was agreed to.

APPROPRIATIONS FOR CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1965, p. 24248, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, the total of the bill as agreed to in conference amounts to $1,756,635,000. This amount is $2,869,000 below the amount approved by the Senate and $1,140,000 above the amount approved by the House.

The total reduction in this bill, reflecting reductions made in the authorization bill plus the action of your conference committee, amounts to $292,365,000. Mr. President, this is a sizable reduction and it was made only after the utmost analysis and consideration by the committees of the two Houses.

This is the first year that Representative SIKES of Florida has been chairman of the Appropriations Subcommittee in the House, which subcommittee handles this bill. Representative SIKES did an excellent job. Of course, credit goes not only to Representative SIKES, but also to the other members of his very fine subcommittee.

I was very much impressed with what Representative SIKES did and the reasons for his action. He demonstrated that he gives these matters scrupulous attention.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I greatly appreciate the courteous and gracious compliments given by the chairman of the committee to my distinguished colleague, Representative SIKES of Florida. The commendation given to the Representative is no less than that which I expected to hear. I know that he is a real servant of the country and a real soldier. I believe that he is a major general in the Army Reserve forces.

I am delighted to have these kind words spoken into the RECORD as evidence of the type of service which Representative SIKES has rendered to the country.

Mr. STENNIS. Mr. President, I thank the Senator. I know that the Senator from Florida is also interested in the program as a whole. The Senator from Florida gives a great deal of attention to these matters, even though he is not on the committee. He is rightfully proud of Representative SIKES. The Senator has a fine background of knowledge about the entire matter of national defense.

In taking action, the conferees made sure that all items were fully justified. We tried to make all of the items in the bill fit into a pattern of actual need, serve a definite purpose, worth the money, and constitute an essential part of our farflung military program. A number of items were left out of the bill because it was felt that their need was not urgent, that they did not directly contribute to the operational need of our military forces, or that they were an added luxury with which the military services could dispense.

A headquarters building was approved for the STRIKE command at MacDill Air Force Base, Fla.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I congratulate the two distinguished Senators, the Senator from Mississippi and the Senator from Massachusetts, upon their insisting on the inclusion of that provision, not because it is for the State of Florida, but because I believe that the STRIKE Command, under the present world conditions, being the nerve center of the operations of our farflung Army and Air Force, is entitled to have an adequate place in which to work. It does not have such a place in the converted barracks in which it is now located.

The appropriation, which, as I recall, was some $3.6 million, is badly needed. I would have felt exactly the same if it were a headquarters located in some area remote from my State.

I happen to know, from observation of the conditions, that such facilities are very badly needed. I congratulate the two distinguished Senators.

Mr. STENNIS. Mr. President, I thank the Senator. I thank him for his support

and for his presentation concerning this very item on the floor of the Senate when the bill was before the Senate. The House committee, when fully conversant with the need which existed there, was agreeable to including the provision in the bill.

Mr. President, this building is urgently needed to improve the efficiency of the command functions and to house one of our most important military commands. On the reverse side of the coin, a headquarters building was requested for CONARC, the Continental Army Command, at Fort Monroe, Va. It is the consensus of the conferees that this command headquarters is operating well in the structures in which it is presently housed, that there is no great urgency for this project and that it can wait until an ensuing year for further consideration.

A number of laboratory structures for the Army, Navy, and Air Force was deleted from this bill, either by this conference or by the action of the House or Senate. The conference committee feels that some of these laboratories are not of an urgent nature. The work is presently being performed in structures that are adequate and the disapproval of the construction of these laboratories will in no way impede the research activity of the services.

A great deal of money is contained in this bill for the housing of troops. This is a continuation of a congressional policy advocated and initiated a number of years ago. The conferees made a reduction of $1,005,000 in the barracks program presented by the Army. This was made when information furnished the conferees indicated that this economy could be safely effected.

Agreement was reached to delete the Fort Riley complex costing $9 million. This action was accomplished without prejudicing this project because the Senate conferees felt that this complex should be a four-battalion complex instead of a three-battalion complex; and, by way of explanation, this item was added to the bill after the Army decided to cancel $9 million worth of construction in West Germany. The Fort Riley project was originally scheduled to go into the 1967 construction bill.

In the matter of housing, the conferees approved 8,500 housing units. This means that the Department of Defense will select the 8,500 units from an eligible list of 11,180 units as authorized by the Congress. The Senate bill contained an appropriation for 7,500 units and the House bill carried 9,500 units of housing. We believe that the 8,500 units will adequately meet the requirements for the military in the ensuing year and, I might add in this respect, that the Appropriations Subcommittee on Military Construction intends to take a very penetrating look at the fiscal year 1967 program.

Mr. President, I want to say also that this bill contains money for construction connected with the conflict in Vietnam. Thus, I wish to assure my colleagues that insofar as possible the situation concerning construction in Vietnam has been taken care of. Of course, you are well aware that in the emergency appropriation of $1.7 billion a large amount of funds was also designated for emergency construction and, in the past 6 months, money has been reprogramed for construction in Vietnam.

Mr. President, the conferees believe that this is a sound bill and will provide the military with the necessary funds to carry out its mission for the ensuing fiscal year. Admittedly, some of the fat has been trimmed from this bill. We believe that we have left only those projects which are needed for an adequate national defense.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. Mr. President, as the senior Senator from Florida has said so well, I commend the chairman of the committee, the distinguished Senator from Mississippi, for the excellent and thoughtful manner in which he has handled this legislation. He was most patient and effective in seeing that the position of the Senate was carefully considered by the conferees. Naturally, it was necessary to compromise several positions taken by the committee but, on the overall the views of the Senate prevailed in most instances.

The amount of the bill as it came out of conference totaled $1,756,635,000, which is $292,365,000, or 14.2 percent below the budget estimated for fiscal year 1966. This total is $1,140,000 above the House figure and $2,869,000 below the amount as approved by the Senate. We are confident that this will adequately provide the funds for the construction needs of the various services and the money required to contract needed repair shops, supply centers, schools and barracks for the services. I should point out that we used as a yardstick the urgency of the projects in the light of our increasing demands for funds to finance the conflict in southeast Asia. With this in mind we felt that many projects could be deferred for another year. Numerous requests for building additional service clubs, bachelor officer's quarters and other items of construction were denied. In our opinion these could be deferred without affecting our military strength.

As to family housing, the overall defense housing request for the military services and defense agencies as presented in the President's budget totaled 12,500 units. Congress subsequently reduced the number of units which could be contracted for to 9,500 units. Authority was given to the Department of Defense to determine the housing projects to be selected from the eligible list of 11,180 units actually authorized. The housing provided funds for 9,500 units, the Senate provided money to build 7,500 units. The conferees settled on 8,500 units, which represents an increase of 250 units above the amount approved last year. The House conferees felt very strongly that these housing units should be approved and I believe that the compromise which we worked out will be most satisfactory. In addition, the Congress approved the leasing of 7,000 housing units. In my opinion we have provided for the urgent needs of the military with respect to construction. We have also included funds in the amount of $50 million to be used to meet the emergency construction requirements in situations which the Secretary of Defense determines to be vital to the security of the United States. It is expected that the Secretary will inform the Committee on Appropriations of both the Senate and the House immediately upon a decision to use any of these funds.

Mr. President, again let me say in conclusion that I commend the Senator from Mississippi on his hard work on this bill and on the Defense appropriation bill. It has been a pleasure to work with him.

Mr. STENNIS. The Senator from Massachusetts is very generous. I thank him for the hard work he has put forth on this bill. Whenever I find it necessary to call upon him, he is always present at committee hearings, and willing with advice and counsel, and it is a pleasure, a joy, and an inspiration to work with him from year to year.

Mr. President, I now ask unanimous consent, in order that we may complete the record, that there be printed in the RECORD at this point the table of appraisals for military construction and family housing, Defense, fiscal year 1966, showing also the 1965 appropriations, the 1966 estimates, and the congressional action taken thereon.

There being no objection, the table was ordered to be printed in the RECORD.

Appropriations for military construction and family housing, Defense, fiscal year 1966, showing 1965 appropriations, 1966 estimates, and congressional action

Title	Appropriations, 1965	Budget estimate, 1966	House passed	House decrease (−)	Restoration requested	Revised estimate	Passed Senate	Conference action	Conference action compared with—			
									Appropriation, 1965	Budget estimate, 1966	House	Senate
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
MILITARY CONSTRUCTION												
DEPARTMENT OF THE ARMY												
Military construction, Army	$300,393,000	$441,400,000	$319,732,000	−$121,668,000	+$32,088,000	$351,820,000	$332,039,000	$323,443,000	+$23,050,000	−$117,957,000	+$3,711,000	−$8,596,000
Military construction, Army Reserve	5,000,000							0	−5,000,000	0	0	0
Military construction, Army National Guard	10,800,000		10,000,000	+10,000,000		10,000,000	10,000,000	10,000,000	−800,000	+10,000,000	0	0
DEPARTMENT OF THE NAVY												
Military construction, Navy	247,867,000	338,300,000	312,357,000	−25,943,000	+22,014,000	334,371,000	320,603,000	316,305,000	+68,438,000	−21,995,000	+3,948,000	−4,298,000
Military construction, Naval Reserve	7,000,000	9,500,000	9,500,000			9,500,000	9,590,000	9,500,000	+2,500,000	0	0	−90,000
DEPARTMENT OF THE AIR FORCE												
Military construction, Air Force	332,101,000	422,000,000	337,478,000	−84,522,000	+33,041,000	370,519,000	355,410,000	348,273,000	+16,172,000	−73,727,000	+10,795,000	−7,137,000
Military construction, Air Force Reserve	5,000,000	4,000,000	4,000,000			4,000,000	4,000,000	4,000,000	−1,000,000	0	0	0
Military construction, Air National Guard	14,000,000	10,000,000	10,000,000			10,000,000	10,000,000	10,000,000	−4,000,000	0	0	0
OFFICE OF THE SECRETARY OF DEFENSE												
Military construction, Defense agencies	12,656,000	83,200,000	63,468,000	−19,732,000	+1,663,000	65,131,000	65,131,000	64,268,000	+51,612,000	−18,932,000	+800,000	−863,000
Loran stations, Department of Defense	5,000,000	5,000,000	5,000,000			5,000,000	5,000,000	5,000,000	0	0	0	0
Total, military construction	939,817,000	1,313,400,000	1,071,535,000	−241,865,000	+88,806,000	1,160,341,000	1,111,773,000	1,090,789,000	+150,972,000	−222,611,000	+19,254,000	−20,984,000
FAMILY HOUSING, DEFENSE												
Family housing, Army:												
Construction	35,600,000	54,064,000	42,282,000	−11,782,000		42,282,000	37,408,000	39,845,000	+4,245,000	−14,219,000	−2,437,000	+2,437,000
Operation, maintenance, and debt payments	173,328,000	181,156,000	180,649,000	−507,000		180,649,000	180,649,000	180,649,000	+7,321,000	−507,000	0	0
Family housing, Navy and Marine Corps:												
Construction	64,544,000	92,140,000	73,415,000	−18,725,000		73,415,000	58,309,000	65,862,000	+1,318,000	−26,278,000	−7,553,000	+7,553,000
Operation, maintenance, and debt payments	97,739,000	96,948,000	96,812,000	−136,000		96,812,000	96,812,000	96,812,000	−927,000	−136,000	0	0
Family housing, Air Force:												
Construction	57,589,000	99,290,000	79,058,000	−20,232,000		79,058,000	62,809,000	70,934,000	+13,345,000	−28,356,000	−8,124,000	+8,125,000
Operation, maintenance, and debt payments	198,859,000	209,307,000	209,049,000	−258,000		209,049,000	209,049,000	209,049,000	+10,190,000	−258,000	0	0
Family housing, Defense agencies:												
Construction	981,000	406,000	406,000			406,000	406,000	406,000	−575,000	0	0	0
Operation, maintenance, and debt payments	2,511,000	2,289,000	2,289,000			2,289,000	2,289,000	2,289,000	−222,000	0	0	0
Total, family housing	631,151,000	735,600,000	683,960,000	−51,640,000		683,960,000	647,731,000	665,846,000	+34,695,000	−69,754,000	−18,114,000	+18,115,000
Grand total	1,570,968,000	2,049,000,000	1,755,495,000	−293,505,000	+88,806,000	1,844,301,000	1,759,504,000	1,756,635,000	+185,667,000	−292,365,000	+1,140,000	−2,869,000

Mr. STENNIS. Mr. President, the completion of action on these two bills in conference presents for approval the appropriation of a striking sum of money, $48,523,044,000. I think it is appropriate here to say a word of tribute to our men abroad, fighting in the jungles of faraway Asia, and on duty in Latin America, in Europe, in Korea, and around the world.

A word should also be said about the American people, who are willing to put up over $50 billion—and there is well over $50 billion to be spent—in the short span of 12 months.

It is a challenge to our country to be able to carry on the burden of representative government while at the same time having that Government spend over $100 billion of new money every 12 months.

Mr. LONG of Louisiana. Will the Senator yield?

Mr. STENNIS. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I congratulate the Senator from Mississippi, and express the gratitude of the Senate for the fine job he has done on this bill and other important military appropriation authorization bills. It was once my pleasure to serve with the Senator from Mississippi on the Armed Services Committee and to observe the extremely conscientious and responsible manner in which he goes into every one of the thousands of line items on these bills, to examine the necessity for even so small an item as a $1,000 expenditure. The Nation is extremely fortunate to have the Senator from Mississippi managing these bills. I speak as one who has had some interest in the bill, because we have certain military installations in Louisiana, as most States do. The Senator has been most considerate of all the various problems involved, and has rendered a fine service in providing leadership for the Senate conferees in bringing back a very fine conference report.

Mr. STENNIS. I thank the Senator from Louisiana very much. I appreciate having served with the Senator on the Armed Services Committee in the past, and I am sorry he ever left it. But he is doing fine work where he is.

Now, Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1065. An act to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; and

S. 2127. An act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes.

The message also announced that the House had passed the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 23. An act to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes;

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 5665. An act to authorize the disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes;

H.R. 6515. An act to supplement the act of October 6, 1964, reestablishing the Lewis and Clark Trail Commission, and for other purposes;

H.R. 6852. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile;

H.R. 7571. An act to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs;

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes;

H.R. 8848. An act to amend title 10, United States Code, to provide transportation for the immediate families of personnel of the American National Red Cross serving with the Armed Forces;

H.R. 9047. An act to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both;

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes;

H.R. 9830. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor;

H.R. 10238. An act to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes;

H.R. 10516. An act authorizing the disposal of vegetable tannin extracts from the national stockpile;

H.R. 10553. An act to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships;

H.R. 10714. An act to authorize the disposal of colemanite from the supplemental stockpile;

H.R. 10715. An act to authorize the disposal of chemical grade chromite from the supplemental stockpile;

H.R. 10748. An act to authorize the transfer of copper from the national stockpile to the Bureau of the Mint; and

H.J. Res. 597. Joint resolution providing for the erection of a memorial to the late Dr. Robert H. Goddard, the father of rocketry.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 23. An act to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes; to the Committee on Commerce.

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 5665. An act to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes;

H.R. 6852. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile;

H.R. 8848. An act to amend title 10, United States Code, to provide transportation for the immediate families of personnel of the American National Red Cross serving with the Armed Forces;

H.R. 9047. An act to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both;

H.R. 10516. An act authorizing the disposal of vegetable tannin extracts from the national stockpile;

H.R. 10714. An act to authorize the disposal of colemanite from the supplemental stockpile;

H.R. 10715. An act to authorize the disposal of chemical grade chromite from the supplemental stockpile; and

H.R. 10748. An act to authorize the transfer of copper from the national stockpile to the Bureau of the Mint; to the Committee on Armed Services.

H.R. 6515. An act to supplement the act of October 6, 1964, reestablishing the Lewis and Clark Trail Commission, and for other purposes;

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes; and

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7571. An act to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs; and

H.R. 10238. An act to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 9830. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor; to the Committee on Government Operations.

H.R. 10553. An act to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships; to the Committee on Post Office and Civil Service.

H.J. Res. 597. Joint resolution providing for the erection of a memorial to the late Dr. Robert H. Goddard, the father of rocketry; to the Committee on Rules and Administation.

BAIL REFORM ACT OF 1965

Mr. JAVITS. Mr. President, passage by the Senate today of S. 1357, the Bail Reform Act of 1965, marks a historic effort to bring much needed reform to bail procedures in the Federal courts and the courts of the District of Columbia. The reform brought about by this measure, of which I am pleased to be a cosponsor, will insure improved and fairer methods of treatment of the thousands of citizens accused of crimes each year who are confined before their innocence or guilt has been determined by a court of law—not because there is any substantial doubt that they will appear for trial if released, but because they cannot afford bail. Early in this Congress the Subcommittee on Constitutional Rights of which I am a member and the Subcommittee on Improvements in Judicial Machinery jointly issued a report entitled "Constitutional Rights and Federal Bail Procedures." The principal conclusion of the report was that the defects in Federal bail practices stem, in large part, from the fact that bail decisions rely primarily upon financial inducements to insure the presence of the accused at trial, rather than his character, employment, residence, or other community ties.

Our present bail system has created many inequities. The fact of pretrial confinement or liberty should not depend on the question of whether a citizen can economically afford bail. A citizen deprived of his liberty because he is unable to afford bail is frequently handicapped in preparing his defense and often unable to support his family which may be forced to suffer both economic loss and public opprobrium as a result of the confinement even though the citizen may at a later date be found not guilty.

S. 1357 takes significant steps towards the much needed objective of bail reform. The bill provides, among other things for release in noncapital cases upon personal recognizance or unsecured bonds unless a judicial officer determines, upon good cause shown that such a release will not reasonably assure the appearance of the accused as required. The bill provides for appeal of release orders by persons aggrieved by the release conditions imposed and provides credit for pretrial confinement against any fine imposed by a court as well as against any sentence imposed. It also provides for the amendment of release orders to impose different conditions. The leadership in this reform provided by the distinguished Senator from North Carolina [Mr. ERVIN], chairman of the Constitutional Rights Subcommittee, and the Senator from Maryland [Mr. TYDINGS], chairman of the Subcommittee on Improvements in Judicial Machinery has been of great importance in obtaining this greatly needed revision of existing bail practices. I very much hope that this legislation will be enacted and the principles of justice and fairness carried out fully under the newly established bail procedures.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, if other Senators wish to make speeches, it is the intention that we stay here as long as Senators wish to speak this evening. Having discussed the matter with the leadership on both sides of the aisle and the Senators interested, I announce that we do not plan to press for a vote on the immigration bill today, although we are hopeful it may be voted upon tomorrow. I hope that all Senators will be alerted. We hope to reach a vote on the bill tomorrow; and if Senators wish to make further speeches on the matter, they may come to the floor and address themselves to the subject. Having discussed the parliamentary situation with Senators on both sides of the aisle, in the event someone should wish to discuss this or some other matter during the remainder of the session today, I suggest the absence of a quorum, so that Senators may know that the floor is available.

Mr. SALTONSTALL. Will the Senator withhold his request for a quorum call for a moment? It has come to my attention that the vote might come on the bill somewhere near the middle of the afternoon tomorrow.

Mr. LONG of Louisiana. Yes; we have every hope that a vote on the bill will be reached tomorrow, and if necessary we shall try to obtain unanimous consent to limit debate tomorrow. In the event we are not able to arrive at a vote early, we would run late tomorrow, but it is our hope that we might be able to vote early in the day, so that Senators may be about their other important plans and the legislation upon which they are working.

Mr. SALTONSTALL. And then take up the foreign aid bill?

Mr. LONG of Louisiana. The foreign aid appropriation bill will be laid before the Senate next.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. I understood the Senator to say that there would be no vote on the bill tonight. Does he mean no vote on either the bill or any amendments?

Mr. LONG of Louisiana. That is correct. There may be some Senators who wish to be heard on the measure; and to make my position clear, I do not wish to deny them that opportunity. I have explored the question of requesting unanimous consent to limit debate, if the prospect for an early vote tomorrow should make it necessary. But the Senator may be assured that we shall not press for a vote tonight, and there will be none.

AUTHORIZATION TO COMMITTEE ON FINANCE TO MEET DURING SESSION OF SENATE TOMORROW

Mr. LONG of Louisiana. Mr. President, in order to be of assistance to the minority leader, I am about to make a unanimous-consent request that the Senate Committee on Finance be permitted to meet during the session of the Senate tomorrow in the event we are not able to report on an important measure before that committee tomorrow morning.

Mr. President, I suggest the absence of a quorum, and after that will make the unanimous request to which I have just referred.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate Committee on Finance be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, September 22, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 21 (legislative day of September 20), 1965:

U.S. ATTORNEY

Robert H. Cowen, of North Carolina, to be U.S. attorney for the eastern district of North Carolina for the term of 4 years. (Reappointment.)

U.S. PATENT OFFICE

Philip E. Mangan, of Maryland, to be an examiner in chief, U.S. Patent Office, vice Hyman Freehof.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 20 (legislative day of September 20), 1965:

DEPARTMENT OF LABOR

Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

GEOLOGICAL SURVEY

William T. Pecora, of New Jersey, to be Director of the Geological Survey.

IN THE PUBLIC HEALTH SERVICE

The nominations beginning Henry Bosshard, to be senior surgeon, and ending Neil O. Hartman, to be senior assistant therapist, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 13, 1965.

WITHDRAWALS

Executive nominations withdrawn from the Senate September 21 (legislative day of September 20), 1965:

POSTMASTERS

Wilma F. Majors to be postmaster at Russell Springs, in the State of Kansas.

Kae B. Weston to be postmaster at Laketown, in the State of Utah.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 21, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: I Corinthians 4:2: *It is required of stewards that they be found faithful.*

Eternal God, whose voice bids us to be humble and penitent and faithful in these difficult days in which we are living, grant that we may not be found wanting in this bewildering perplexity which often confuses us.

We earnestly beseech Thee to renew our spiritual life of faith and inspire us with a passion that demands justice for the poor and the oppressed and gives courage to all mankind.

Help us to see our work in its true perspective and may we cultivate the upward look lest we become feverish and fretful and faithless.

Deepen our trust in Thee for we know that we can bear anything if our faith holds, but if we allow it to be eclipsed, then the way becomes dim.

Grant that we may never allow hardness to get into our hearts, but may we make a vow of fidelity knowing that Thou wilt help us to keep that vow and thus may we rise above our doubts and our dismay.

To Thy name shall be all the glory. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 774. An act to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States;

S. 1407. An act for the relief of Frank E. Lipp;

S. 2070. An act to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1588) entitled "An act to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes."

The message also announced that the Senate recedes from its disagreement to the amendment of the House to the title and concurs therein.

The message also announced that the Senate had passed Senate Resolution 148, as follows:

Resolved, That the Senate has heard with profound sorrow and extreme regret the announcement of the death of Hon. Elmer Thomas, who served in the U.S. Senate from the State of Oklahoma from 1927 until 1951.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased, together with a transcript of remarks made in the Senate in praise of his distinguished service to the Nation.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States No. 66–5.

AUTHORIZING EXTENSION OF PROCLAMATION TO "SEE THE UNITED STATES"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S.J. Res. 98) authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. McCLORY. Mr. Speaker, reserving the right to object, I should like to ask a question.

This resolution does nothing more than to extend for 1 year the authority to proclaim the "See the United States First" policy?

Mr. ROGERS of Colorado. The gentleman is correct.

Mr. McCLORY. It does not involve any expenditure of funds?

Mr. ROGERS of Colorado. It is just for extending Public Law 88–416 for another year. No money is required.

Mr. McCLORY. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, what is Public Law 88?

Mr. ROGERS of Colorado. Public Law 88–416 is a resolution to see the United States.

Mr. GROSS. To do what?

Mr. ROGERS of Colorado. This program invites industry and interested organizations to encourage the American people to explore, use, and enjoy the historical, scenic, and recreation areas throughout the United States, its territories and possessions, and the Commonwealth of Puerto Rico.

Mr. GROSS. I think that can very well be renewed, President Johnson not having had very much success in his campaign to stop tourism overseas. Anything we can do to emphasize tourism in the United States should help the deficit in the balance of payments.

Mr. ROGERS of Colorado. Mr. Speaker, I appreciate the comments of the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 98

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested (1) to extend through 1966 the period designated pursuant to the joint resolution approved August 11, 1964 (Public Law 88–416), as a period to see the United States and its territories; (2) to encourage private industry and interested private organizations to continue their efforts to attract greater numbers of the American people to the scenic, historical, and recreational areas and facilities of the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico; and (3) to issue a proclamation specifically inviting citizens of other countries to visit the festivals, fairs, pageants, and other ceremonials, to be celebrated in 1966 in the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

SEC. 2. The President is authorized to publicize any proclamations issued pursuant to the first section and otherwise to encourage and promote vacation travel within the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico, both by American citizens and by citizens of other countries, through such departments or agencies of the Federal Government as he deems appropriate, in cooperation with State and local agencies and private organizations.

SEC. 3. For the purpose of the extension provided for by this joint resolution, the President is authorized during the period of such extension to exercise the authority conferred by section 3 of the joint resolution approved August 11, 1964 (Public Law 88–416), and for such purpose may extend for such period the appointment of any person serving as National Chairman pursuant to such section.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.